

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

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Please see the actual argument text attached within the Evidence section	
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<b>DESCRIPTION OF EVIDENCE FILE</b>	Applicant's written argument, records of task force and user meetings for Applicant's goods and services, brochure describing Applicant's database, annual report of patstats.org service, Applicant's price list and ordering form, response filed in connection with application for PATSTATS.ORG, a description of Applicant's online service, status records of third-party registrations for "STAT" marks
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/bjg/
<b>SIGNATORY'S NAME</b>	Barbara Grahn
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Minnesota bar member
<b>SIGNATORY'S PHONE NUMBER</b>	612-607-7325
<b>DATE SIGNED</b>	07/28/2014
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Jul 28 19:17:23 EDT 2014
<b>TEAS STAMP</b>	USPTO/RFR-70.102.26.226-2 0140728191723019204-79128 458-5005f384722a37f4ed3ae a699c8bf26c1a3985192d90f4 59e81c5711f573a8bac5-N/A-

## **Request for Reconsideration after Final Action To the Commissioner for Trademarks:**

Application serial no. **79128458** has been amended as follows:

### **ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

Please see the actual argument text attached within the Evidence section

### **EVIDENCE**

Evidence in the nature of Applicant's written argument, records of task force and user meetings for Applicant's goods and services, brochure describing Applicant's database, annual report of patstats.org service, Applicant's price list and ordering form, response filed in connection with application for PATSTATS.ORG, a description of Applicant's online service, status records of third-party registrations for "STAT" marks has been attached.

#### **Original PDF file:**

[evi\\_7010226226-185701701\\_.PATSTAT\\_Req\\_for\\_Reconsideration.pdf](#)

**Converted PDF file(s)** ( 8 pages)

[Evidence-1](#)

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#### **Original PDF file:**

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[Evidence-29](#)

**Original PDF file:**

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[Evidence-28](#)

[Evidence-29](#)

[Evidence-30](#)

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /bjg/ Date: 07/28/2014

Signatory's Name: Barbara Grahn

Signatory's Position: Attorney of Record, Minnesota bar member

Signatory's Phone Number: 612-607-7325

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79128458

Internet Transmission Date: Mon Jul 28 19:17:23 EDT 2014

TEAS Stamp: USPTO/RFR-70.102.26.226-2014072819172301

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8bf26c1a3985192d90f459e81c5711f573a8bac5

-N/A-N/A-20140728185701701436

Applicant hereby requests reconsideration of the final refusal issued January 27, 2014, regarding Applicant's mark PATSTAT.

### REMARKS

The Examining Attorney raised two issues in the final Office Action which require a response. They are: (A) likelihood of confusion; and (B) Descriptiveness. For the reasons explained below, Applicant requests that the Examining Attorney reconsider her refusal to register and withdraw her objections.

#### A. LIKELIHOOD OF CONFUSION

Applicant respectfully submits that the Examining Attorney has not thoroughly evaluated the likelihood of confusion under the *DuPont* test, *In re E. I. DuPont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 U.S.P.Q. 563, 567 (C.C.P.A. 1973) (*DuPont*). In making a determination of likelihood of confusion, the Examining Attorney must consider the known circumstances surrounding use of the mark, and "each case must be decided on its own facts. There is no litmus rule which can provide a ready guide to all cases." *DuPont*, 476 F.2d at 1361. "In some cases, a determination that there is no likelihood of confusion may be appropriate, even where the marks are similar and the goods/services are related, because these factors are outweighed by other factors . . ." TMEP § 1207.01. Applicant respectfully submits that this is such a case - that the Examining Attorney has failed to consider significant *DuPont* factors and the known circumstances surrounding the use of the respective marks.

Because of the unique nature of Applicant's services and the highly focused and limited nature of the potential market, several of the *DuPont* factors dismissed by the Examining Attorney are actually key factors that weigh heavily against a likelihood of confusion. As noted in Applicant's previous response, Applicant's goods and services are expensive and the customers for Applicant's and Registrant's services are highly sophisticated. As a result, the degree of care exercised in purchasing Applicant's goods and services means that confusion is unlikely. The channels of trade for Applicant's and Registrant's services are also very different. And contrary to the Examining Attorney's conclusion, Applicant respectfully submits that its goods and services are very different from and unrelated to Registrant's services. Accordingly,

when all of the relevant factors are considered, including the differences between the marks and the goods and services, confusion is unlikely.

**1. Differences between Applicant's and Registrant's goods and services make confusion unlikely.**

The Examining Attorney asserts that Applicant's and Registrant's goods and services are "in the same field, patent statistics," and that therefore "the goods and services are of a kind that emanate from the same source." As support for this conclusion, the Examining Attorney cites three third-party registrations that purportedly show registration for software, telecommunications services and databases providing patent information. However, two of the three registrations cited by the Examining Attorney identify broad "laundry lists" of subjects that are included in the identified services. It is well-settled that evidence such as this of companies offering such a broad array of unrelated goods or services has no probative value. *See, 7-Eleven Inc. v. HEB Grocery Co. LP*, 83 USPQ 2D 1257, 1262 (TTAB 2007); *In re Tomberlin Prod. Group, LLC*, Ser. No. 78734308 (TTAB Nov. 30, 2007) (We do not give further consideration to those registrations submitted by the examining attorney that . . . include a "laundry list" of goods.). Two of the three registrations cited by the Examining Attorney cover everything from health care, to weather, to sports, to entertainment. In view of the "soup to nuts" character of the services covered by these registrations, the registrations are not probative; leaving a single registration as evidence that the same services may emanate from a single source. This is insufficient as evidence of the relatedness of the goods. As a result, the Examining Attorney has not met her burden of demonstrating that the goods and services are related.

Furthermore, applicant respectfully submits that the essential characteristics of its goods and services are so unique and the group of potential consumers for the services so limited and sophisticated that there are few, if any, registrations or uses that could be comparable for purposes of determining likelihood of confusion. There are significant differences in the nature of Registrant's web service and Applicant's database and related services. Registrant's web service is a posting of rulings on major issues in patent cases and, occasionally, other patent litigation subjects. The cases are drawn from U. S. courts. See Registrant's website at <http://www.patstats.org/Patstats3.html>. Applicant's data consists of bibliographic, historical data from national patent offices relating to issued patents and patent applications. See, Gaétan de Rassenfosse, Hélène Dernis, Geert Boedt, *An Introduction to the Patstat database with example*

queries, (abstract) <http://arxiv.org/ftp/arxiv/papers/1404/1404.7447.pdf> (last accessed 7/24/2014).

Applicant's PATSTAT service has been developed for private and public institutions, universities, policy institutes, medium-sized to large-scale enterprises, professional patent information providers and IP consultants. It was developed initially by the Organisation for Economic Co-operation and Development (OECD) in collaboration with a number of national patent offices and other interested large entities, including the USPTO, which were among the early users of the service. U. S. patent data is a significant feature of Applicant's database, and the U. S. Patent and Trademark Office has been involved in developing the PATSTAT service from its inception. Representatives of the USPTO served as members of an early PATSTAT user Task Force formed to inform the continuing development and improvement of the PATSTAT service. See, record of OECD Patents Statistics Task Force Meeting, October 25, 2006, p. 6, attached as Exhibit A. More recently, a PATSTAT user meeting was held at the Global IP Academy at the USPTO headquarters, drawing a panel of distinguished international experts. See Exhibit B. As these materials suggest, the customers for and users of Applicant's goods and services are government agencies, statisticians, academics and large entities.

The PATSTAT service has established itself as a "database of choice" for statisticians, academics, government agencies, and policy advisors. Davide Lingua, *A Roadmap for PATSTAT*, <http://is.jrc.ec.europa.eu/pages/ISG/patents/documents/LinguaPATSTATseville.pdf> (last visited 7/24/2014). The undertaking itself was extraordinary in scope, including at the outset data from 73 patent offices worldwide, with records from the beginning of the 20<sup>th</sup> century for some office. Dominique Guellec, *Recent developments in patents statistics and data bases at EPO and the OECD*, February 24 - 25, 2006, viewed at:

[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=5&ved=0CDYQFjAE&url=http%3A%2F%2Fwww.epip.eu%2Fpapers%2F20060224%2FEpip%2520Workshop%2520Bocconi\\_Guellec.ppt&ei=k2nWU5GtKo-nyATIs4GIAQ&usg=AFQjCNFwZ8NaSwPFEE-tAF-R8LP48mDI9Q&bvm=bv.71778758,d.aWw](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=5&ved=0CDYQFjAE&url=http%3A%2F%2Fwww.epip.eu%2Fpapers%2F20060224%2FEpip%2520Workshop%2520Bocconi_Guellec.ppt&ei=k2nWU5GtKo-nyATIs4GIAQ&usg=AFQjCNFwZ8NaSwPFEE-tAF-R8LP48mDI9Q&bvm=bv.71778758,d.aWw) (last visited 7/24/2014).

The PATSTAT database now includes tens of millions of patent applications, granted patents, utility models, PCT applications, etc. from more than 100 countries. See PATSTAT flyer, attached as Exhibit C. The PATSTAT database is very large - 170 GB – with the largest table containing 302 million rows. Exhibit C, p. 2.

In stark contrast, Registrant's database contains only information regarding reported patent decisions in U. S. courts as they relate to 40 issues identified by Registrant. Registrant's database consists of quarterly and annual reports which identify which party prevailed in which reported decisions on each of the selected issues that was addressed in the decision, and at what stage in the litigation the decisions were issued. The entire 2013 report is 7 pages in length, and is attached as Exhibit D. There is no comparison in the nature, scope, contents, size, use, or purpose of Registrant's and Applicant's database products. Accordingly, there is no basis for concluding that Applicant's and Registrant's products and services are similar.

2. **Applicant's goods and services are expensive and its customers are highly sophisticated.**

Applicant's services are expensive. Applicant's current price list and order form, attached as Exhibit E, show that a yearly subscription to Applicant's basic PATSTAT database product costs approximately \$1600 (1,180 €). A subscription including the complete PATSTAT family of products costs over \$4800 (3,590 €). "If the goods or services are relatively expensive, more care is taken and buyers are less likely to be confused as to source or affiliation." J. T. McCarthy, *McCarthy on Trademarks* (4<sup>th</sup> Ed.) §23.95 (*McCarthy*), citing *MGregor-Doniger, Inc. v. Drizzle, Inc.*, 599 F.2d 1126, 1137, 202 U.S.P.Q. 81, 92 (2d Cir. 1979). The price level of goods or services is an important factor in determining the amount of care a buyer will exercise in purchasing the goods or services. *Id.*

Furthermore, customers for Applicant's goods and services are highly sophisticated professionals who are more discriminating in their buying habits and less likely to be confused than are consumer purchasers. As noted above and in Applicant's previous response, the PATSTAT database is primarily designed for use by governmental and intergovernmental agencies, statisticians, academics and policy advisors. Registrant's service, on the other hand, is a web service for attorneys and businesspersons interested in United States patent litigation results. See, Declaration of Jeffrey Johnson, attached to Registrant's response to Office Action dated 6/20/2012, attached as Exhibit F. In each case, the customers for the respective goods and services are highly sophisticated customers.

Where the relevant buyer class is composed solely of professional or commercial purchasers, it is reasonable to set a higher standard of care than exists for consumers. Where the relevant buyer class is composed only of professionals or

commercial buyers familiar with the field, they are usually knowledgeable enough to be less likely to be confused by trademarks that are similar.

*McCarthy*, § 23.101. Where customers are careful, deliberative buyers they are not likely to easily confused and “this is not the sort of purchasing environment in which confusion flourishes.” *Id.*, citing *Oreck Corp. v. U. S. Floor Systems, Inc.*, 803 F.2d 166, 174, 231 U.S.P.Q. 634 (5<sup>th</sup> Cir. 1986). *See also, Dynamics Research Corp. v. Langenau Mfg. Co.*, 704 F.2d 1575, 217 .S.P.Q. 649 (Fed. Cir. 1983) (no confusion likely in sales to large corporations and government agencies with sufficient expertise to distinguish between the sources of the goods). In this case, both Registrant’s and Applicant’s customers are highly sophisticated.

The Examining Attorney has dismissed Applicant’s arguments concerning the sophistication of the purchasers, but Applicant respectfully submits that this is a key factor in determining confusion in this case. Applicant’s and Registrant’s sophisticated consumers are not likely to believe that Applicant’s and Registrant’s goods and services are related, and are readily able to distinguish between the marks. It is not necessary that the consumers be knowledgeable about trademarks; it is sufficient that they are sophisticated and knowledgeable in their field of expertise. Sophisticated consumers are known to be discriminating and not likely to be confused by even closely similar marks. Under the circumstances, the sophistication of the purchasers should be considered a key factor in assessing the likelihood of confusion.

**3. Applicant’s and Registrant’s trade channels are dissimilar.**

More significantly, Applicant’s goods and services can be obtained exclusively directly from Applicant, and Registrant’s services are available exclusively on Registrant’s website. Registrant’s service is a database that is resident on the University of Houston Law Center servers. *See*, Exhibit F, Declaration of Ruth S. McCleskey. The service is accessible only on the website at [www.patstats.org](http://www.patstats.org). Similarly, both the downloadable version of Applicant’s database, available from Applicant on DVD, and the online version of the PATSTAT service are available only directly from Applicant. *See*, <https://forms.epo.org/service-support/ordering/patstat-order-form.html> (contained in Exhibit E) and <http://www.epo.org/searching/subscription/patstat-online.html>, attached as Exhibit G. The fact that both Applicant’s and Registrant’s products and services are available through the internet is not sufficient to conclude that the trade channels for the respective products and services are the same. Virtually any software product or database is available through the internet. This does not mean that the channels of trade for all software and

databases are the same. To suggest that the channels of trade for Applicant's and Registrant's products and services are the same because they can both be obtained via the internet is like saying that because two different products are both available for purchase in retail stores, the trade channels are the same. This is obviously not the case. In this case, there is no possibility that customers for Registrant's database would encounter Applicant's goods or services in Registrant's trade channel, or that Applicant's customers would encounter Registrant's service in Applicant's trade channel. Furthermore, the sophistication of the customers for both Applicant's and Registrant's goods and services further eliminates the possibility that they will be confused.

**4. The marks are readily distinguished, and Registrant's mark is entitled to only narrow protection.**

Given the dissimilarity of the goods and services, the sophistication of the purchasers, the expensive nature of Applicant's goods and services, and the differences between the trade channels for Applicant's and Registrant's goods and services, Applicant submits that the differences between the marks are sufficient to avoid a likelihood of confusion. The marks must be compared in their entireties. Registrant's mark consists of twice as many syllables as Applicant's mark (Registrant's mark being pronounced as "pat stats dot org"). While Applicant recognizes that the ".org" component of the mark is not considered distinctive, it is still part of the mark and should be considered in a comparison of the mark. Further, to the extent Registrant sought registration based on a claim of acquired distinctiveness under Section 2(f), Applicant submits that Registrant's mark should not be accorded a broad scope of protection.

**5. Conclusion**

Applicant respectfully submits that consideration of all of the relevant *DuPont* factors leads to the conclusion that confusion between Applicant's and Registrant's marks is unlikely. The significant dissimilarity between the respective goods and services and channels of trade, the sophistication of prospective customers, and the cost of Applicant's goods and services all weigh against a finding of likelihood of confusion. Therefore, in light of the known circumstances surrounding the use of these marks, Applicant respectfully requests that the Examining Attorney withdraw her objection under Section 2(d), 15 U.S.C. § 1052(d).

**B. DESCRIPTIVENESS**

The Examining Attorney asserts that "in relation to software and databases for providing patent statistics, PATSTAT can only mean patent statistics. Alternative meanings are not

relevant to the instant application.” The Examining Attorney goes on to state that the examples of other registrations cited by Applicant are distinguishable. However, the very examples cited by the Examining Attorney prove Applicant’s point. It is difficult to see a distinction between MAMMSTATS for mammography tracking software or COGNISTAT for software pertaining to cognitive function and PATSTAT for Applicant’s goods and services. The prefixes are shortened versions of words that appear in the description of goods. If anything, these marks are more easily classified as descriptive than are Applicant’s.

In addition to the examples cited by Applicant in its earlier response, Applicant has identified the following additional marks that are similar to Applicant’s mark in their structure and meaning with respect to the goods, all of which have been registered or, in the case of the pending application, not found to be descriptive. These are:

MARK	REG/SERIAL NO.	GOODS/SERVICES
EDGARSTAT*	3305407	Cl. 9: Computer services, namely, providing an on-line computer database featuring the United States Securities and Exchange Commission listed company income statements, balance sheets, and financial ratios applicable to intercompany transfer pricing analysis and tax compliance documentation  Cl. 42: Computer services, namely, providing an on-line search engine and database of financial company records by established industry classification codes, ticker symbols, and by free text search
TRIALSTAT	3465226	Cl. 42: on-line web based platform featuring hosted software for managing work flow, documents, and data used in relation to evaluating research results in all disciplines, namely, systematic reviews of research work
STATTRADER	4164836	Cl. 36: providing financial data and information via the Internet regarding publicly traded and privately held companies; providing a website at which users may upload and share financial data and information regarding public and private companies
MERGERSTAT	3282848	Cl. 36: providing online databases and information in the field of financial information, corporate mergers acquisitions and divestitures
JURISTAT**	86167360	Cl. 42: Collection and compilation of data related to patent applications into computer databases and providing data reporting, mining, analysis, and visualization services through web-based and standalone computer software

\* EDGAR is the name of the U. S. Securities and Exchange Commission system for reporting corporate data to the SEC.

\*\* An Office Action was issued on this application, but the only issue raised by the Examining Attorney was the identification and classification of services.

Applicant has attached as Exhibit H for the Examining Attorney’s review records from the TSDR database for these marks, as well as those cited in the earlier response. While Applicant recognizes that each case must be decided on its own facts, Applicant submits that the large number of similar marks that are registered on the Principal Register for similar goods and services without a claim of acquired distinctiveness is at least persuasive evidence that Applicant’s mark should likewise be entitled to registration.

Applicant also respectfully requests that the Examining Attorney reconsider the arguments put forth regarding the double meaning contained in Applicant’s mark. The Examining Attorney makes a conclusory statement that “in relation to software and databases for

providing patent statistics, PATSTAT can only mean patent statistics,” and that “applicant has presented no evidence to support its proposition” that “patstat” has a double meaning. On the contrary, Applicant submitted *eight* dictionary definitions of the term “stat” as meaning “immediately,” “without delay,” “at once” or “without delay.” In most of these examples, the meaning urged by the Examining Attorney either doesn’t appear at all, or is a secondary meaning. Under the circumstances, Applicant respectfully submits that it has effectively demonstrated that the term PATSTAT has at least one other association that the public would make readily that is not descriptive of the goods and services. Accordingly, Applicant respectfully requests that the Examining Attorney withdraw her objection under Section 2(e)(1), 15 U. S. C. § 1052(e)(1).

**C. CLAIM OF ACQUIRED DISTINCTIVENESS UNDER 15 U.S.C. § 1052(f)**

In the event the Examining Attorney does not accept Applicant’s arguments that the mark is not primarily merely descriptive, in the alternative, Applicant requests that the application be amended to seek registration on the Principal Register pursuant to Section 2(f) of the Trademark Act, 15 U. S. C. § 1052(f) on the grounds that the mark PATSTAT has become distinctive of Applicant’s goods and services through Applicant’s substantially exclusive and continuous use in commerce for at least the five years immediately preceding this response. As evidence submitted with this request demonstrates, Applicant has been using the mark for approximately eight years – since 2006. The mark is well-known among customers and potential customers of Applicant’s goods and services, including customers in the U. S., and customers associate the mark with applicant.

**D. CONCLUSION**

Based on the foregoing, Applicant believes the mark is entitled to registration on the Principal Register, and that all issues raised by the Examining Attorney have been satisfactorily addressed. It is respectfully submitted that the application is now in condition for publication and registration.

**EXHIBIT A**

OECD  OCDE  
PATENTS STATISTICS TASK FORCE MEETING  
VIENNA - OCTOBER 25, 2006

SUMMARY RECORD

1. New developments in databases

1.1. *Feed-back to PATSTAT*

Members of the Task Force acknowledged PATSTAT as a major achievement in the field of Patent Statistics, which was stressed in the two-day workshop on Patent Statistics for Policy Decision Making. To date, about 50 copies of PATSTAT have been distributed.

Prior to the meeting, EPO sent a list of requested changes to PATSTAT that were received from users of the data and summarised in the *Change Management Procedure* document. Task Force members were informed that changes will not be implemented immediately in the next release of the database but within a 1-year delay. However, depending on the urgency of the requests or the amount of work required to perform changes, some corrections could occur beforehand on the next release. Task Force members were asked to establish a priority list on the changes required to future versions of PATSTAT. They agreed on the following list:

- **Priority n°1.**  
**Develop internet facilities (or an interface) enabling shorter extractions of PATSTAT.**  
PATSTAT users raised issues regarding the size of the database and the related difficulties of loading the whole database into their computing systems. Using such internet facilities/interface, data users could generate their own mini-PATSTAT without affecting the integrity of the whole database (e.g. extract certain countries, years, fields only). Furthermore, if an internet access is set up, the dissemination policy will be the same as the dissemination using DVDs: i.e. password protected; provided to academic researchers and government agencies under the conditions that data will not be used for commercial purposes. This is made Priority 1 as it should boost significantly the diffusion of PATSTAT among potential users.
- **Priority n°2.**  
**Pre-defined routines and simple queries to check and extract the data.**  
EPO will develop a list of pre-defined queries based on the *frequently asked questions* (FAQ) list from PATSTAT users. These routines will be simple, well documented and provided with the data.
- **Priority n°3.**  
**Adding new variables.**  
Task Force members will look in more detail at all the variables available in EPO's Patent Register Service (PRS) that cover procedural information on patents at more than 40 patent offices. Task Force members are invited to draw a list of additional variables that could be incorporated to PATSTAT as "plug-in" tables.

Other subject matters were discussed, such as: setting up a comprehensive documentation (notably via a PATSTAT web forum), further quality control and improvements of data coverage, identification of the main IPC class, etc. Eurostat expressed its interest in the possible inclusion of NACE/ISIC activity codes in the database.

### **1.2. Development of complementary databases**

The EPO patent register service (PRS), also available on-line, provides a large number of variables on procedural information and post-grant data, such as changes in assignees' names, dates of grant, dates of opposition, withdrawal, refusal - when applicable, etc. Data are taken from patent offices' *Gazettes* and cover 42 offices (for more information: [www.epoline.org/registerplus.html](http://www.epoline.org/registerplus.html)). The JPO and the USPTO have similar information that might also be easily available, and proposed to report on their findings to the Task Force. In the meantime, EPO will add a data field on the international searching authority (ISA) who performed the search for patents filed under the PCT, using the framework of the recent data exchange agreement between the EPO and WIPO. Task Force members are invited to list and prioritize all variables of interest from PRS that could be added to PATSTAT.

WIPO presented the Index of Patent Systems, a tool to help users of patent statistics to understand the impact of differences between patent systems on the interpretation of patent statistics ([www.wipo.int/ipstats/en/resources/patent\\_systems.html](http://www.wipo.int/ipstats/en/resources/patent_systems.html)). Feasibility studies on the integration of information on patent fees are underway. Task force members encourage WIPO to maintain and improve the database and agreed to send feedback and possibly inputs to WIPO. Work is also on-going at WIPO on the development of statistical databases, data sets and indicators.

Task Force members will also keep track of the development of IIP database on JPO filings as well as the NBER database of USPTO patents.

### **1.3. Company-level data**

Members of the Task Force encouraged Eurostat and K.U. Leuven to follow up on the recently completed work on harmonisation of applicants' names with the aim of integrating harmonised names as a separate field in PATSTAT. EPO (Controlling Office) has been using an alternative (non automated) approach and will compare its method and results with Eurostat's.

The WIPO mentioned two projects under way at the moment to standardise patent filing forms, the first one being the Patent Law Treaty (PLT). A draft standard patent application form is available and could include an applicant registration number. The WIPO offered to discuss with the Secretariat of the PLT about the possibility of incorporating specific matters of interest to Task Force members.

The possibility was raised during the Task Force meeting to write an official letter recommending the collection of applicants' data directly in the electronic filing form (providing a single code for a company – e.g. a customer code – that could be implemented at the patent offices' level). Such a letter was ought to be sent to the relevant services of Patent Offices, with copy to officials at national governments, underlining the importance of statistical work on patents. The conditions of implementation of that action were left to post-meeting discussions.

### **1.4. Developing a "PATSTAT tool box"**

Considering that some of Eurostat's algorithms for cleaning names and attributing institutional sectors' are available on-line, and that a Memorandum of Understanding (MoU) has been signed by the OECD and Eurostat for sharing some of their statistical tools, members of the Task Force were asked whether they would foresee a similar "sharing approach" on routines for the community of PATSTAT users, and if so, how it could be done with respect to institutional and administrative constraints.

EPO announced their intention to set up a web forum (micro-site) for PATSTAT, where links to author institutions (e.g. Eurostat/K.U. Leuven; OECD, etc.) could be provided for accessing different routines along with detailed documentation on each routine and a set of cautious notes for loading the routines. In addition to that, EPO will develop a set of simple routines to respond to FAQ that were

identified with the first edition of PATSTAT. Members of the Task Force agreed to provide EPO with links to their routines with a brief explanatory text.

### **1.5. Development of new indicators**

Members of the Task Force recommended that all indicators published by different institutions/offices should be well documented and described, so that misunderstandings of the data will be avoided. The OECD and Eurostat will conduct bilateral discussions for investigating the possibility of harmonising their respective patent indicators. Further guidelines for building and interpreting the indicators will be provided in the Patent Statistics Manual.

## **2. The revision of the Patent Statistics Manual**

### **2.1. Presentation of the project**

The OECD proposed a framework for revising the 1994 OECD patent manual. The 1994 Manual does not reflect recent developments in the field of patent statistics nor the direct experience of data users and producers. The revised *Patent Statistics Manual* would be a two-tier Manual: a "traditional" paper manual combined with an electronic manual which would include complementary information, working papers, and explanatory work on fast moving issues. Its structure would cover policy use of patent indicators, tackle horizontal issues arising with the design and the interpretation of the indicators, and it would include a list of thematic chapters relating to several types of indicators or concepts.

The first part will address basic issues, such as: the meaning and interpretation of patent statistics; patenting procedures and their impact on patent statistics; information content of patent documents; description of databases. The thematic part will cover topics such as citation based indicators, harmonisation of names, patent families, nowcasting methods, indicators on internationalisation, technical fields and industry concordance. Two draft chapters were submitted to the Task Force.

The OECD will co-ordinate and prepare a draft manual incorporating any possible contributions from members of the Task Force; external experts and members of OECD's Working Party of National Experts on Science and Technology Indicators (NESTI). Task Force Members were (are) invited to revise the final draft of the Manual before being submitted to NESTI delegates in 2008 for approval.

Emphasis was made on the fact that the revised Manual should be viewed as a support tool for data production and analysis. Most concepts developed in the manual will refer to patents statistics interpreted as indicators of Science and Technology, and some concepts could also be informative regarding patenting activity per se. The Manual issues indicative rules, with no compulsory character at all for any indicators producer

### **2.2. Involvement of the Task Force in the revision process**

Existing information to be used as input, such as the evolution of patenting procedures over time, WIPO's Index of Patent Systems. An up-to-date list of main patent data sources and on-line search tools could also be provided in the second part of the manual. USPTO mentioned current work on a glossary of patent terminology that could serve as a complement to the Manual.

Task Force members agreed to contribute to the revision of the Patent Statistics Manual, either by contributing to specific chapter or by reviewing the draft Manual, as follows:

- OECD to draft most chapters of the Manual and to investigate on how Task Force members' contributions will be acknowledged in the Manual.
- EPO to work on issues related to claims, oppositions and to review the Manual;
- Eurostat to contribute to the chapter on indicators and to review the Manual;

- JPO, NSF, USPTO to review, comment, and possibly provide further contributions after internal consultations;
- WIPO to review and comment on sections of the Manual.

Task Force members were asked to inform OECD of their decisions on possible contributions by end November 2006.

### **3. A survey on the use and impacts of patents**

This issue cannot move far ahead since different ways of collecting data would involve other entities (e.g. Trilateral group, Eurostat & CIS). However, several surveys are conducted by Patent Offices. Partial convergence in surveys or survey questions could be reached within the Trilateral Strategic group and the Trilateral Statistical group by coordinating some questions and some targeted firms. EPO, USPTO and JPO will investigate and inform the Task Force with the results of consultation.

In addition, the WIPO offered to share its network of contacts with IP offices worldwide.

### **4. Closing remarks and next meeting**

Following the success of the two-day workshop on Patent Statistics for Policy Decision Making, EPO volunteered to co-organise a similar event in September 2007 - date and location to be confirmed. An intermediate Task Force meeting was envisaged but will require further consultation among Task Force members. In the meantime, Task Force members should reconsider the composition of the Task Force, examining the opportunities of inviting new candidates to future meetings.

### **5. Technical Session on PATSTAT – October 26, 2006.**

On 26/10/2006, the EPO chaired a session dedicated to answering to very practical requests and issues from members of the Task Force involved in the use of PATSTAT information. A total of 14 members of the Task Force attended this session to which also participated a delegation of 5 persons from the Republic of Korea.

James Rollinson and Rob Heijna (EPO) first presented the physical data model of the relational database PATSTAT. They then detailed the different information types contained in the database before presenting some examples of practical data extraction.

The second part of the session concentrated on practical requests from the participants according to their specific individual needs. Questions from the audience ranged from the data content of PATSTAT and basic queries to more specific requests on the following main topics: linking data from different patent Offices; patent families; counts of patent by assignee; extractions based on IPC classes; international collaboration; fractional counting, etc.

### **ADDENDUM: POST MEETING DECISIONS**

Following the meeting, electronic discussion within the task force led to the following decisions:

1. Task force members will follow closely the ongoing process among Trilateral group members for harmonising electronic patent filing forms, which could result in the collection of much of the information needed for statistical analysis. Task force members of the Trilateral offices and the WIPO will discuss task force recommendations with their respective members participating in the negotiations. The task force will discuss advances in that matter at its next meeting and explore ways to contribute to the process.

2. Task force members will invite representatives of the SIPO (China) and KIPO (Korea) to attend the Fall 2007 Task force meeting.

**List of Participants**

EPO:

Bruno van Pottelsberghe  
Marc Nicolas  
James Rollinson  
Rob Heijna

Eurostat:

August Goetzfried  
Bernard Felix

JPO:

Hiroshi Bando  
Ryo Funakoshi  
Hirofumi Muramori

NSF:

Derek Hill  
Lawrence Rausch

OECD:

Hélène Dernis  
Dominique Guellec  
Teruo Okazaki  
Colin Webb  
Maria Pluvia Zuniga Lara

USPTO:

Jim Hirabayashi  
Gus Mastrogianis  
Gerard Torres

WIPO:

William Meredith

**EXHIBIT B**



## Agenda for the PATSTAT user meeting

### “PATSTAT - your backbone data set for statistical analysis”

The PATSTAT user day takes place at the Global IP Academy, which is housed in the USPTO headquarters; Madison Building, USPTO Headquarters 600 Dulany Street, Alexandria, VA; United States

#### Tuesday 15 November 2011, from 14.00-18.00.

- 13.00-14.00 Registration open. Participants at the PATSTAT user meeting will receive the conference badge and conference material for the " Patent Statistics for Decision Makers 2011" conference
- 14.00-14.05 Geert Boedt (EPO - PATSTAT team)  
Agenda, kick-of
- 14.05 -14.20 Johannes Schaaf & Davide Lingua (EPO - PATSTAT team)  
PATSTAT status report
- 14.20-14.40 H el ene Dernis & Mariagrazia Squicciarini (OECD - IPR statistics)  
New patent indicators derived from PATSTAT to quantify patent quality
- 14.40-15.05 Michele Pezzoni (Bocconi Univ.) and Andrea Maurino (Universit a Milano-Bicocca)  
New database on inventors names that is linkable to PATSTAT.
- 15.05-15.30 Gianluca Tarasconi (Bocconi Univ. - KITeS DBA)  
Metadata structure proposal for sharing address cleaning patterns for PATSTAT
- 15.30-15.55 Richard Corken (UK Intellectual Property Office - Patent informatics)  
Methodology of linking PATSTAT to Bureau van Dijk's Fame data & Visualisation of patent data with VantagePoint.
- 15.55-16.25 Coffee break - networking - mingling
- 16.25-16.50 Nils Newman (IISC - Intelligent Information Services)  
VantagePoint on PATSTAT & linking PATSTAT with academic literature
- 16.50-17.15 Julie Callaert (KU Leuven - ECOOM & Research Division INCENTIM)  
Characterization of non-patent references: identifying scientific versus non-scientific and matching PATSTAT's scientific non-patent references to the Web of Science

**17:15-17:40** Catalina Martinez (ES National Research Council - Institute of Public Goods and Policies)  
PATSTAT and PRS data

**17:40-18:00** TBA - Wrap-up, overshoot time.

**EXHIBIT C**



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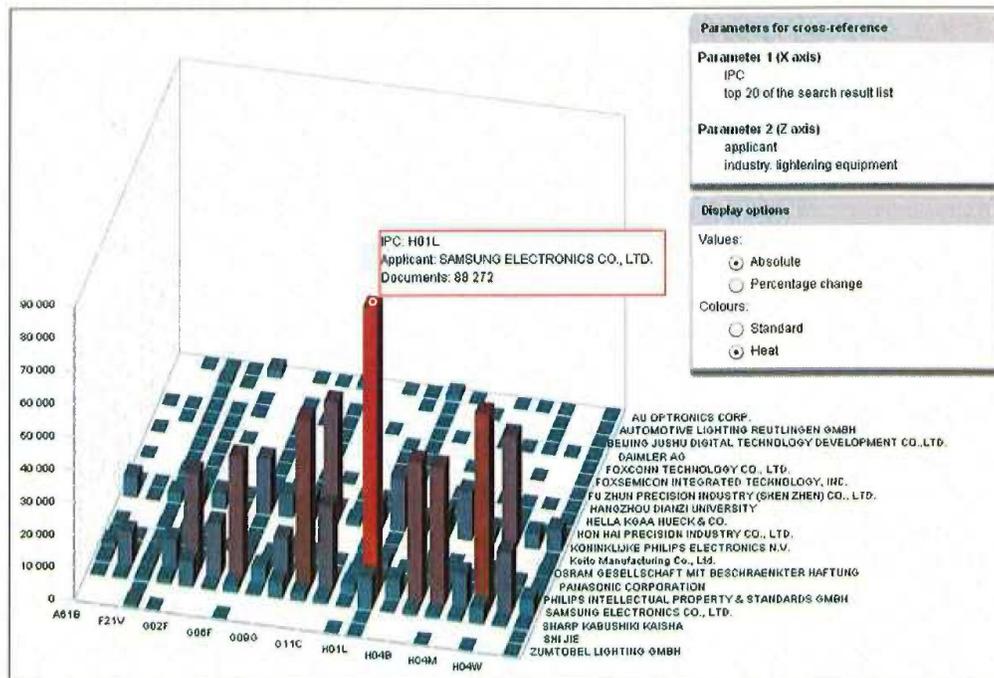
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Sample data	Available for download at: <a href="http://www.epo.org/searching/subscription/raw/product-14-24.html">www.epo.org/searching/subscription/raw/product-14-24.html</a>
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## UNIVERSITY OF HOUSTON LAW CENTER

## RULINGS IN 2013

P =Patent owner prevailed on the issue  
I =Accused infringer prevailed on the issue

Small numerals identify cases on the cumulative caselist

Affirmances and reversals are by the Federal Circuit, including affirmances without opinion (Rule 36). All other listed rulings are by the lower tribunal. Large-font numerals reflect the number of patents adjudicated; totals therefore exceed the numbers of case-adjudications.

Issue Code	Description	Results	
	<b>Validity decisions</b>		
01	§ 102(a) -- earlier public knowledge or publication	P= 12 [2928(4); 3121(2); 3127; 3139; 3187; 3110; 3280; 3301]	1 appellate reversal 1 judgment after bench trial 7 judgments on jury verdicts 3 summary judgments
		I= 12 [2918(2); 2930; 3095; 3099; 3103; 3067; 3050(2); 3076; 3143(2)]	1 appellate reversal 6 judgments on jury verdicts 5 summary judgments
02	§ 102(b) -- time-bar publication or patent	P= 16 [2969(4); 2985; 3054; 3080; 3301; 3299; 3301; 3115; 3123(2); 3142; 3185; 3196]	4 appellate affirmances 4 judgments after bench trials 5 judgments on jury verdicts 3 summary judgments
		I= 12 [2918(2); 2930; 3095; 3099; 3103; 3067; 3050(2); 3076; 3143(2)]	5 appellate affirmances 1 JMOL 6 summary judgments
03	§ 102(b) -- public use	P= 8 [2958; 3064; 3030; 3133(2); 3201; 3304; 3298]	1 appellate affirmation 2 appellate reversals 2 judgments after bench trials 1 judgment on jury verdict 2 summary judgments
		I= 7 [3006; 3037(4); 3026; 3209]	6 appellate affirmances 1 summary judgment
04	§ 102(b) -- on sale	P= 2 [3082; 3205]	1 appellate affirmation 1 summary judgment
		I= 5 [3154; 3147; 3193; 3243; 3298]	1 appellate affirmation 2 judgments on jury verdicts 2 summary judgments

05	§ 102(c) -- abandonment	P= 3 [3205; 3197(2)] I=	3 summary judgments
06	§ 102(d) -- prior foreign patenting	P=5 [3197(3);3280; 3235] I=	1 judgment after bench trial 4 summary judgments
07	§ 102(e) -- earlier-filed US patent of another	P= 8 [3121(3); 3202(2); 3280; 3264; 3270] I= 7 [3110; 3118; 3182(2); 3215(2); 3297]	2 appellate reversals 1 judgment after bench trial 3 judgments on jury verdicts 2 summary judgments 3 appellate affirmances 2 appellate reversals 2 judgments on jury verdicts
08	§ 102(e) -- derived subject matter; wrong inventorship	P= 3 [3016; 2948; 3168] I=	2 appellate affirmances 1 judgment after bench trial
09	§ 102(g) -- prior invention by another (novelty)	P= 3 [3150;3263; 3296] I= 3 [2989(3)]	1 judgment after bench trial 2 summary judgments 3 judgments after bench trials
10	§ 103 -- obviousness	P= 56 [3009; 2993; 2996(3); 2949; 2992(2); 2998; 2990(4); 2981; 3034; 3029; 3054; 3057; 3080; 3045(2); 3125; 3173; 3120; 3121(2); 3139; 3153(2); 3182(2); 3110; 3200; 3207; 3115; 3117(2); 3123(2); 3143; 3234; 3316; 3304; 3233(5); 3280(2); 3301; 32352; 3145(2); 3185; 3128] I= 34 [3019; 3005; 3021; 2938; 2923; 2918(2); 2925; 2930] [3093; 3103; 3069; 3024; 3050; 3034; 3038; 3031] [3143(2); 3147(2); 3148; 3176; 3182; 3215(2); 3223(2)]	23 appellate affirmances 15 judgments after bench trials 14 judgments on jury verdicts 4 summary judgments 9 appellate affirmances 3 appellate reversals 3 judgment after bench trials 7 judgments on jury verdicts 1 JMOL 11 summary judgments
11	§ 112 -- inadequate disclosure -- description	P= 16 [3014; 3009; 2948; 3023; 3072; 3080; 3045(2); 3055; 3142; 3150; 3197(3); 3222; 3290] I= 12 [2922(2); 2998; 3101; 3050; 3086; 3191; 3149; 3209; 3269; 3242; 3291]	3 appellate affirmances 1 appellate reversal 3 judgments after bench trials 2 judgments on jury verdicts 7 summary judgments 3 appellate affirmances 2 judgments on jury verdicts 7 summary judgments
		P= 12 [3009; 2972(2); 3023; 3072;	4 appellate affirmances 3 appellate reversals

12	§ 112 -- inadequate disclosure -- enablement	3028; 3219.1; 3142; 3150; 3221; 3301; 3240]	2 judgments after bench trials 2 judgments on jury verdicts 1 summary judgment
		I= 9 [2922(2); 3022(2); 3129; 3191; 3109; 3149; 3242]	4 appellate affirmances 1 judgment after bench trial 2 judgments on jury verdicts 2 summary judgments
13	§ 112 -- inadequate disclosure -- best mode	P= 9 [2964(3); 3028; 3197(3); 3304; 3301]	1 appellate affirmance 4 appellate reversals 4 summary judgments
		I=	
14	§ 112 -- claim indefinite	P= 23 [3009; 2993; 2996(3); 2949; 2992(2); 2998; 2990(4); 2981; 3023; 3054; 3064(3); 3043; 3036; 3219.1; 3255]	3 appellate affirmances 2 appellate reversals 5 judgments after bench trials 4 judgments on jury verdicts 9 summary judgments
		I= 25[2973; 2950; 2940(3); 2936; 2976; 2982; 3042(2); 3056; 3059; 3144; 3152; 3162; 3188(4); 3197; 3204; 3188; 3219.1; 3313; 3254]	1 appellate affirmance 3 appellate reversals 2 Ct. Fed. Cls. 19 summary judgments
15	Double patenting	P= 3 [3197(3)]	3 summary judgments
		I= 3 [3050(2); 3216]	1 appellate reversal 3 summary judgments
16	Improper broadening	P= 4 [3009; 2993(2); 3175]	1 appellate affirmance 2 judgments after bench trials 1 summary judgment
		I= 4 [2999; 3107; 3209; 3268]	1 appellate affirmance 2 summary judgments
	<b>Enforceability decisions</b>		
17	Inequitable conduct	P= 15 [3016; 2938; 2960; 2947; 3044; 3046; 3057; 3060; 3070; 3024; 3137; 3170(2); 3174; 3189]	1 appellate affirmance 2 appellate reversals 5 judgments after bench trials 7 summary judgments
		I= 8 [2941; 3097; 3122; 3184; 3109; 3230; 3239(2)]	5 appellate affirmances 2 judgments after bench trials 1 summary judgment
18	Misuse	P= 2 [3058; 3138]	2 summary judgments
		I=	
	<b>Procedural defenses</b>		
			1 appellate affirmance

19	Laches	P= 9 [3057; 3138; 3142; 3192(2); 3195(2); 3198; 3267]	5 judgments after bench trials 2 summary judgments 1 judgment on jury verdict
		I= 9 [3049; 3081; 3109; 3206; 3214(4); 3241]	1 judgment after bench trial 8 summary judgments
20	Equitable estoppel	P= 6 [3057; 3138; 3141; 3142; 3192(2)]	3 judgments after bench trials 1 judgment on jury verdict 2 summary judgments
		I= 4 [2970; 3049; 3109; 3206]	1 appellate affirmance 1 judgment after bench trial 2 summary judgments
21	Limitations	P= 1 [3219.1]	1 appellate affirmance
		I=	
22	Failure to mark	P= 1 [3080]	1 judgment on jury verdict
		I= 3 [3077(2); 3224]	3 summary judgments
<b>Infringement issues</b>			
23	Literal direct infringement	P= 83 [2975; 2981; 2969(5); 3011; 3014; 2989(3); 2928(4); 2986; 2951; 2939; 2924(2); 2980; 2974; 2971; 2967; 2970; 3035; 3047(4); 3064(3); 3080; 3043; 3084; 3027; 3033; 3125; 3177; 3178(2); 3179(2); 3180; 3104; 3120; 3121(3); 3136; 3139; 3142; 3145(3); 3153(2); 3182(2); 3185; 3195(3); 3205; 3207; 3210; 3221; 3110; 3112; 3200; 3217; 3234; 3304; 3315; 3310; 3280(2); 3232; 3299; 3247]	21 appellate affirmances 11 appellate reversals 9 judgments after bench trials 31 judgments on jury verdicts 2 JMOLs 9 summary judgments
		I= 202 [2972(2); 3019; 2973(2); 2974(2); 2968(2); 2965(2); 2971(2); 2970; 2979; 3006; 2970(2); 3007; 3013(2); 3015; 3010; 3018; 3008; 3020; 2923; 2960(4); 2935(2); 2919(2); 2955; 2929; 2932; 2956; 2957(5); 3001(2); 2931; 2994; 2918(2); 2996; 2997; 2930; 2933(2); 2947; 2946; 2943; 2987(4); 2961; 2954; 2981; 2966; 2945; 3089; 3095; 3026; 3032(2); 3039; 3040; 3088; 3090; 3091; 3092; 3094(2); 3096; 3098; 3100; 3102; 3085; 3080; 3045(2); 3048(2); 3051(4); 3061(2); 3068(2); 3073(2); 3074(2); 3075; 3079; 3083; 3086; 3087; 3029; 3041; 3108; 3111; 3114; 3124; 3130; 3177; 3208(2); 3214; 3218; 3226; 3105; 3131; 3140(2); 3141; 3147(2); 3152; 3156; 3159(4); 3160; 3161(2); 3182; 3186(2);	64 appellate affirmances 5 appellate reversals 1 ITC decision 2 judgments after bench trials 11 judgments on jury verdicts 1 JMOL 118 summary judgments

		3187(2); 3188; 3190(2); 3196; 3197(6); 3199; 3211; 3215(2); 3220; 3225; 3228(2); 3231(2); 3115; 3312(2); 3277; 3305; 3312; 3313; 3314; 3315; 3247; 3238; 3242(2); 3243; 3245; 3256; 3258; 3260; 3270; 3281; 3282; 3283; 3285; 3289(3); 3290; 3291; 3292; 3293; 3294; 3299; 3300(2); 3202(3); 3306; 3307(2)]	
24	Doctrine of equivalents direct infringement	P= 8 [2971(2); 3072; 3047(2); 3124; 3280(2)]	3 appellate reversals 3 judgments after bench trials 2 judgments on jury verdicts
		I= 58 [3020; 2998(2); 2931; 2933(2); 2947; 2946; 2943; 2942; 2961; 3040; 3098; 3100; 3080; 3048(2); 3052; 3073(2); 3074(2); 3086; 3108; 3111; 3141; 3149(2); 3163; 3167(2); 3171; 3187; 3199; 3211; 3215; 3228; 3115; 3237; 3270; 3289(3); 3291; 3293; 3300; 3308(10); 3309; 3267]	7 appellate affirmances 2 appellate reversals 1 judgment after bench trial 2 judgments on jury verdicts 46 summary judgments
25	Inducing infringement	P= 22 [2969; 2928(4); 2952; 2951; 2980; 3080; 3045; 3121(2); 3123(4); 3142; 3145(3); 3166; 3311]	2 appellate affirmances 1 appellate reversal 4 judgments after bench trials 11 judgments on jury verdicts 4 summary judgments
		I= 15 [3015; 3013; 2923; 2919(2); 2920(2); 3080; 3126; 3167(2); 3115; 3242(2); 3298]	2 appellate affirmances 1 appellate reversal 2 judgments on jury verdicts 10 summary judgments
26	Contributory infringement	P= 8 [2951; 2980; 3080; 3045; 3121(2); 3153(2)]	1 appellate reversal 5 judgments on jury verdicts 2 summary judgments
		I= 9 [3013; 2919(2); 3080; 3120; 3190(2); 3242(2)]	1 appellate affirmation 1 judgment on jury verdict 7 summary judgments
27	Selling or importing product of patented process	P= 1 [3207] I=	1 judgment after bench trial

28	Shipping abroad § 271(f) or (g)	P= I=	
29	License defense	P= 4 [2991(3); 2995]	3 judgments after bench trials 1 summary judgment
		I= 9 [3010; 3029; 3118; 3165; 3213; 3236; 3306; 3309; 3250]	2 appellate affirmances 7 summary judgments
30	Exhaustion defense	P= 1 [2995]	1 summary judgment
		I= 16 [2956; 3062(2); 3157; 3169(9); 3250(2); 3266]	1 appellate reversal 15 summary judgments
31	Exemption under § 271(e)	P= 2 [2959(2)]	2 summary judgments
		I= 6 [3183(2); 3219(4)]	6 summary judgments
32	Exemption for other experiments	P=	
		I=	
	<b>Damages calculations</b>		
33	Lost profits	P= 13 [2969(5); 3012; 3035; 3047(4); 3210; 3249]	7 appellate affirmances 1 judgment after bench trial 5 judgments on jury verdicts
		I= 4 [2921; 3065; 3139; 3119]	1 appellate reversal 1 judgment after bench trial 2 summary judgments
34	Reasonable royalty	P= 17 [3014; 3004; 2989(3); 2928; 3035; 3080; 3121; 3142(2); 3145; 3151; 3195; 3205; 3221; 3249]	2 appellate affirmances 5 judgments after bench trials 10 judgments on jury verdicts
		I= 4 [3027; 3142; 3164; 3278]	1 appellate reversal 1 judgment after bench trial 2 judgments on jury verdicts
35	Split bases	P=	
		I= 1 [2962]	1 appellate reversal
	<b>Special factors</b>		
36	Willfulness	P= 11 [3012; 3080; 3104; 3121(2); 3153(2); 3195(2); 3210; 3221]	1 appellate affirmance 1 judgment after bench trial 9 judgments on jury verdicts
		I= 22 [2981(2); 3003; 2989(3); 2947; 3072; 3047(4); 3057; 3063; 3119; 3139; 3161; 3115; 3303; 3290; 3304; 3267]	3 appellate reversals 3 appellate affirmances 6 judgments after bench trials 6 JMOLs 3 summary judgments

37	Enhanced damages due to willfulness	P= 14 [2969(5); 3012; 3080; 3104; 3151; 3195(2); 3139; 3304; 3267] I= 3 [3139; 3304; 3267]	6 appellate affirmances 5 judgments after bench trials 3 judgments on jury verdicts 2 appellate reversals 1 judgment after bench trial
38	Attorney fees to patentee	P= 3 [2988; 3053; 3195] I= 9 [2966; 2927; 2928; 3072; 3121(2); 3139; 3227; 3252]	3 judgments after bench trials 1 appellate affirmance 6 judgments after bench trials 2 JMOLs
39	Attorney fees to accused infringer	P= 17 [3017; 2983; 3002; 2953(2); 3066; 3071; 3025; 3116; 3132; 3137; 3147(2); 3269; 3257; 3262; 3244] I= 12 [2984(2); 2926(2); 2944; 2934; 3088; 3078; 3184; 3218; 3113; 3158]	2 appellate affirmances 1 appellate reversal 14 judgments after bench trials 3 appellate affirmances 9 judgments after bench trials
40	Preliminary injunction ruling	P= 6 [3000; 3106; 3134; 3112; 3246; 3288] I= 20 [2989(3); 3117; 3135; 3146(4); 3155(3); 3194; 3229; 3273; 3284(2); 3295; 3266]	1 appellate reversal 5 judgments after bench trials 1 appellate reversal 19 judgments after bench trials

**EXHIBIT E**



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## Response to Office Action

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<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>The Examining Attorney has issued a Refusal to register the mark PATSTATS.ORG on the grounds that the mark is primarily merely descriptive of the services. The Applicant herein amends the recitation of services to adopt the proposal suggested by the Examining Attorney in International Class 045 and to delete the services properly classified in International Class 041. In support of the recitation of services in International Class 045, Applicant herein submits a substitute specimen of use clearly displaying the mark in connection with the services along with a Declaration in Support of Substitute Specimen of Use.</p> <p>With respect to the allegation that the mark is primarily merely descriptive, the Applicant herein amends the basis of the application to seek registration on the Principal Register via a claim of acquired distinctiveness pursuant to §2(f) of the Trademark Act. There are several bases for the assertion that the mark has acquired distinctiveness. Firstly, PATSTATS.ORG has been in substantially exclusive and continuous use in commerce for at least eleven (11) years and is very well known throughout the intellectual property community to be an indicator of source for the University of Houston Law Center. As evidenced by the Declaration of Ruth S. McCleskey and corresponding documentation, the website has received over 650,000 hits since 2006, and an average of 316 hits per day. (See Declaration of Ruth S. McCleskey attached <i>infra</i>). Moreover, as shown by the Declaration of Jeffrey Johnson the Editor in Chief of PATSTATS.ORG, the service is utilized "...by many law firms, companies, and scholars throughout the United States and in other countries." (See Declaration of Jeffrey Johnson attached <i>infra</i>). An example of a prominent user of the service, former United States District Judge Roderick R. McKelvie, declares that he has utilized the services under the mark PATSTATS.ORG for seven years and has "...always associated this service with the University of Houston Law Center as its source." (See Declaration of Roderick R. McKelvie attached <i>infra</i>). Finally, the mark has appeared in judicial sources as exemplified by the attached "Court Citation". (See "Court Citation" attached <i>infra</i>.)</p> <p>Accordingly, it is respectfully submitted that the Applicant has demonstrated the mark PATSTATS.ORG has acquired distinctiveness over a period of eleven years through the submission of an abundance of evidence. All remaining informalities having been satisfactorily addressed, it is respectfully submitted that the Application is now in condition for publication and registration. Should the Examining Attorney have any questions pertaining to the application, she is invited to telephone the undersigned at (713) 743-2164 or via email at pjanicke@uh.edu</p>	

<b>EVIDENCE SECTION</b>	
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	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0005.JPG</u>
<b>ORIGINAL PDF FILE</b>	<u>evi_12971541-151621272 . Roderick McKelvie Declaration.pdf</u>
<b>CONVERTED PDF FILE(S)</b> (2 pages)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0006.JPG</u>
	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0007.JPG</u>
<b>ORIGINAL PDF FILE</b>	<u>evi_12971541-151621272 . Court Citation optimized.pdf</u>
<b>CONVERTED PDF FILE(S)</b> (3 pages)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0008.JPG</u>
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	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0010.JPG</u>
<b>DESCRIPTION OF EVIDENCE FILE</b>	Declaration of Ruth S. McCleskey; Declaration of Jeffrey Johnson; Declaration of Roderick R. McKelvie; and Court Citation
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	041
<b>DESCRIPTION</b>	
Educating at university or colleges; Education services, namely, providing on-line information in the field of patent law	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 06/15/2000
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 06/15/2000

<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	041
<b>TRACKED TEXT DESCRIPTION</b>	
Educating at university or colleges; <u>Providing on-line information in the field of patent law litigation statistics</u> ; Education services, namely, providing on-line information in the field of patent law	
<b>FINAL DESCRIPTION</b>	
Providing on-line information in the field of patent law litigation statistics	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 06/15/2000
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 06/15/2000
<b>STATEMENT TYPE</b>	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<u>SPU0-12971541-151621272 . PATSTATS Spec.pdf</u>
<b>CONVERTED PDF FILE(S)</b> (1 page)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0011.JPG</u>
<b>SPECIMEN DESCRIPTION</b>	website advertisement for services
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>SECTION 2(f) Claim of Acquired Distinctiveness, based on Use</b>	The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.
<b>SECTION 2(f) Claim of Acquired Distinctiveness, BASED ON EVIDENCE</b>	The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.
<b>2(f) EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<u>e2f-12971541-151621272 . Ruth McCleskey Declaration optimized.pdf</u>
<b>CONVERTED PDF FILE(S)</b> (2 pages)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0012.JPG</u>

	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0013.JPG
<b>ORIGINAL PDF FILE</b>	e2f-12971541-151621272 . Jeffrey Johnson declaration.pdf
<b>CONVERTED PDF FILE(S)</b> (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0014.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0015.JPG
<b>ORIGINAL PDF FILE</b>	e2f-12971541-151621272 . Roderick McKelvie Declaration.pdf
<b>CONVERTED PDF FILE(S)</b> (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0016.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0017.JPG
<b>ORIGINAL PDF FILE</b>	e2f-12971541-151621272 . Court Citation optimized.pdf
<b>CONVERTED PDF FILE(S)</b> (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0018.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0019.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\371\85437161\xml1\ROA0020.JPG
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Paul M. Janicke/
<b>SIGNATORY'S NAME</b>	Paul M. Janicke
<b>SIGNATORY'S POSITION</b>	Professor of Law
<b>SIGNATORY'S PHONE NUMBER</b>	713-743-2164
<b>DATE SIGNED</b>	06/20/2012
<b>RESPONSE SIGNATURE</b>	/Paul M. Janicke/
<b>SIGNATORY'S NAME</b>	Paul M. Janicke
<b>SIGNATORY'S POSITION</b>	Professor of Law
<b>SIGNATORY'S PHONE NUMBER</b>	713-743-2164
<b>DATE SIGNED</b>	06/20/2012
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Jun 20 16:01:02 EDT 2012

TEAS STAMP

USPTO/ROA-129.7.154.1-201  
20620160102085368-8543716  
1-490167b474857f482038dff  
72c537f35d4-N/A-N/A-20120  
620151621272396

PTO Form 1957 (Rev 9/2005)  
OMB No. 0951-0057 (Exp. 09/31/2014)

**Response to Office Action**  
**To the Commissioner for Trademarks:**

Application serial no. **85437161** has been amended as follows:

**ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

The Examining Attorney has issued a Refusal to register the mark PATSTATS.ORG on the grounds that the mark is primarily merely descriptive of the services. The Applicant herein amends the recitation of services to adopt the proposal suggested by the Examining Attorney in International Class 045 and to delete the services properly classified in International Class 041. In support of the recitation of services in International Class 045, Applicant herein submits a substitute specimen of use clearly displaying the mark in connection with the services along with a Declaration in Support of Substitute Specimen of Use.

With respect to the allegation that the mark is primarily merely descriptive, the Applicant herein amends the basis of the application to seek registration on the Principal Register via a claim of acquired distinctiveness pursuant to §2(f) of the Trademark Act. There are several bases for the assertion that the mark has acquired distinctiveness. Firstly, PATSTATS.ORG has been in substantially exclusive and continuous use in commerce for at least eleven (11) years and is very well known throughout the intellectual property community to be an indicator of source for the University of Houston Law Center. As evidenced by the Declaration of Ruth S. McCleskey and corresponding documentation, the website has received over 650,000 hits since 2006, and an average of 316 hits per day. (See Declaration of Ruth S. McCleskey attached *infra*). Moreover, as shown by the Declaration of Jeffrey Johnson the Editor in Chief of PATSTATS.ORG, the service is utilized "...by many law firms, companies, and scholars throughout the United States and in other countries." (See Declaration of Jeffrey Johnson attached *infra*). An example of a prominent user of the service, former United States District Judge Roderick R. McKelvie, declares that he has utilized the services under the mark PATSTATS.ORG for seven years and has "...always associated this service with the University of Houston Law Center as its source." (See Declaration of Roderick R. McKelvie attached *infra*). Finally, the mark has appeared in judicial sources as exemplified by the attached "Court Citation". (See "Court Citation" attached *infra*.)

Accordingly, it is respectfully submitted that the Applicant has demonstrated the mark PATSTATS.ORG has acquired distinctiveness over a period of eleven years through the submission of an abundance of evidence. All remaining informalities having been satisfactorily addressed, it is respectfully submitted that

the Application is now in condition for publication and registration. Should the Examining Attorney have any questions pertaining to the application, she is invited to telephone the undersigned at (713) 743-2164 or via email at pjanicke@uh.edu

#### **EVIDENCE**

Evidence in the nature of Declaration of Ruth S. McCleskey; Declaration of Jeffrey Johnson; Declaration of Roderick R. McKelvie; and Court Citation has been attached.

**Original PDF file:**

evi\_12971541-151621272 . Ruth McCleskey Declaration optimized.pdf

**Converted PDF file(s)** (2 pages)

Evidence-1

Evidence-2

**Original PDF file:**

evi\_12971541-151621272 . Jeffrey Johnson declaration.pdf

**Converted PDF file(s)** (2 pages)

Evidence-1

Evidence-2

**Original PDF file:**

evi\_12971541-151621272 . Roderick McKelvie Declaration.pdf

**Converted PDF file(s)** (2 pages)

Evidence-1

Evidence-2

**Original PDF file:**

evi\_12971541-151621272 . Court Citation optimized.pdf

**Converted PDF file(s)** (3 pages)

Evidence-1

Evidence-2

Evidence-3

#### **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 041 for Educating at university or colleges; Education services, namely, providing on-line information in the field of patent law

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 06/15/2000 and first used in commerce at least as early as 06/15/2000, and is now in use in such commerce.

**Proposed:**

**Tracked Text Description:** Educating at university or colleges; Providing on-line information in the field of patent law litigation statistics; Education services, namely, providing on-line information in the field of patent law

Class 041 for Providing on-line information in the field of patent law litigation statistics

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 06/15/2000 and first used in commerce at least as early as 06/15/2000, and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 041. The specimen(s) submitted consists of website advertisement for services.

**"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].**

**Original PDF file:**

[SPU0-12971541-151621272 . PATSTATS Spec.pdf](#)

**Converted PDF file(s) (1 page)**

[Specimen File1](#)

#### **ADDITIONAL STATEMENTS**

##### **Section 2(f) Claim of Acquired Distinctiveness, based on Use**

The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

##### **Section 2(f) Claim of Acquired Distinctiveness, based on Evidence**

The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.

**Original PDF file:**

[e2f-12971541-151621272 . Ruth McCleskey Declaration optimized.pdf](#)

**Converted PDF file(s) (2 pages)**

[2\(f\) evidence-1](#)

[2\(f\) evidence-2](#)

**Original PDF file:**

[e2f-12971541-151621272 . Jeffrey Johnson declaration.pdf](#)

**Converted PDF file(s) (2 pages)**

[2\(f\) evidence-1](#)

[2\(f\) evidence-2](#)

**Original PDF file:**

[e2f-12971541-151621272 . Roderick McKelvie Declaration.pdf](#)

**Converted PDF file(s) (2 pages)**

[2\(f\) evidence-1](#)

[2\(f\) evidence-2](#)

**Original PDF file:**

[e2f-12971541-151621272 . Court Citation optimized.pdf](#)

**Converted PDF file(s) (3 pages)**

[2\(f\) evidence-1](#)

[2\(f\) evidence-2](#)

[2\(f\) evidence-3](#)

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Paul M. Janicke/ Date: 06/20/2012

Signatory's Name: Paul M. Janicke

Signatory's Position: Professor of Law

Signatory's Phone Number: 713-743-2164

**Response Signature**

Signature: /Paul M. Janicke/ Date: 06/20/2012

Signatory's Name: Paul M. Janicke

Signatory's Position: Professor of Law

Signatory's Phone Number: 713-743-2164

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85437161

Internet Transmission Date: Wed Jun 20 16:01:02 EDT 2012  
TEAS Stamp: USPTO/ROA-129.7.154.1-201206201601020853  
68-85437161-490167b474857f482038dff72c53  
7f35d4-N/A-N/A-20120620151621272396

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
	§	LAW OFFICE NO. 116
SERIAL NO.: 85437161	§	EXAMINING ATTORNEY:
	§	Zhaleh Delaney
FILED: Oct. 1, 2011	§	
	§	
MARK: PATSTATS.ORG	§	
	§	
CLASS NO.: 041	§	

DECLARATION OF RUTH S. McCLESKEY

I, Ruth S. McCleskey, declare:

1. I am a web developer at the University of Houston Law Center ("Law Center"). I have held that position full-time since 2001.

2. Part of my job responsibility is to assist the law faculty in their use of servers operated by the Law Center. The website patstats.org is owned by the University of Houston and is resident on one of the Law Center servers, and has been so resident since at least 2006.

3. I have access to log files indicating the number of internet hits on the patstats.org site, and related information. On April 30, 2012, I used the software WebLog Expert to analyze the logs and compile a report showing the number of hits, number of page views, number of visitors, and similar information, for the period June 9, 2006, through April 30, 2012. That printout is attached hereto.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 5-30-2012

  
Ruth S. McCleskey

## Report for patstats

Time range: 6/9/2006 20:37:01 - 4/30/2012 07:15:07

Generated on Mon Apr 30, 2012 - 08:29:25

## General Statistics

### Summary

#### Summary

Hits	
Total Hits	681,652
Average Hits per Day	316
Average Hits per Visitor	2.80
Cached Requests	73,034
Failed Requests	185,994
Page Views	
Total Page Views	349,613
Average Page Views per Day	162
Average Page Views per Visitor	1.43
Visitors	
Total Visitors	243,725
Average Visitors per Day	113
Total Unique IPs	36,928
Bandwidth	
Total Bandwidth	0B
Average Bandwidth per Day	0B
Average Bandwidth per Hit	0B
Average Bandwidth per Visitor	0B

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
	§	LAW OFFICE NO. 116
SERIAL NO.: 85437161	§	EXAMINING ATTORNEY:
	§	Zlaleh Delaney
FILED: Oct. 1, 2011	§	
	§	
MARK: PATSTATS.ORG	§	
	§	
CLASS NO.: 041	§	

DECLARATION OF JEFFREY JOHNSON

1. I am a partner in the Houston office of the law firm DLA Piper, and Editor in Chief of the web service patstats.org. I attended law school at the University of Houston Law Center, where I received my J.D. degree in 2000.

2. While in law school I studied patent litigation with Professor Paul Janicke. We jointly developed the concept of a web service for attorneys and businesspersons interested in United States patent litigation results. We planned to post on a website quarterly and annual information about court rulings on each of several dozen commonly litigated and judicially determined issues in patent cases. We decided to commence this service at the beginning of the new millennium, i.e., January 1, 2000.

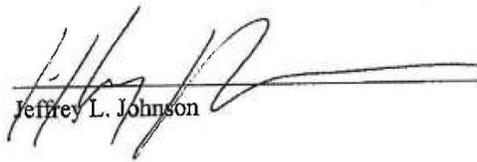
3. Our first quarterly posting occurred shortly after the close of the first quarter of 2000 and has continued uninterrupted to the present time, a period of over twelve years. Patstats.org is utilized by many law firms, companies, and scholars throughout the United States and in other countries. I am often invited, as Editor in Chief, to address conferences of lawyers and judges on the subject of patent litigation rulings, and I am contacted by various persons by telephone and email with inquiries about patent litigation statistics.

4. In all my activities relating to patstats.org, I have always associated the service as a distinct one offered only by the University of Houston Law Center. This

distinctiveness has also been consistently revealed as held by the other persons with whom I have come in contact about the service. In law review and journal articles the service is consistently referred to as a service of the University of Houston Law Center and not merely descriptive of a service of this general type.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 5.29.12

  
Jeffrey L. Johnson

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
	§	LAW OFFICE NO. 116
SERIAL NO.: 85437161	§	EXAMINING ATTORNEY:
	§	Zhaleh Delaney
FILED: Oct. 1, 2011	§	
	§	
MARK: PATSTATS.ORG	§	
	§	
CLASS NO.: 041	§	

DECLARATION OF RODERICK R. McKELVIE

I, Roderick R. McKelvie, declare:

1. I am senior counsel in the Washington, D.C., office of the law firm Covington & Burling LLC. I have held that position since October of 2011. From January of 2005 to October of 2011, I was a partner at Covington & Burling LLC. From June of 2002 to January of 2005, I was a partner at Fish & Neave. For ten years prior to joining Fish & Neave, I was a United States District Judge of the U.S. District Court for the District of Delaware.

2. Covington & Burling and its clients have a significant interest in United States patent litigation. At least seven years ago I became aware of the web service called patstats.org and during that time period I used it fairly often and regularly recommended it to others. I have always associated this service with the University of Houston Law Center as its source.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

Date: May 30, 2012

Roderick R. McKelvie  
Roderick R. McKelvie

**COURT CITATION**

702 F. Supp. 2d 181, \*; 2010 U.S. Dist. LEXIS 30629, \*\*;  
94 U.S.P.Q.2D (BNA) 1683

**ASSOCIATION FOR MOLECULAR PATHOLOGY, ET AL.,  
Plaintiffs, -against- UNITED STATES PATENT AND  
TRADEMARK OFFICE, ET AL., Defendants.**

**09 Civ. 4515**

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF NEW YORK**

**702 F. Supp. 2d 181; 2010 U.S. Dist. LEXIS 30629; 94 U.S.P.Q.2D  
(BNA) 1683**

**March 29, 2010, Decided**

**March 29, 2010, Filed**

\*\*\*

**C. The Composition. Claims Are Invalid Under 35 U.S.C. § 101**

As noted, the issue presented by the instant motions with respect to the composition claims is whether or not claims directed to isolated DNA containing naturally-occurring sequences fall within the products of nature exception to § 101. Based upon the reasons set forth below, it is concluded that the composition claims-in-suit are excepted.

**1. Consideration of the merits of Plaintiffs' challenge is appropriate.**

Myriad [\*\*109] offers several arguments for why this Court should not engage the substance of Plaintiffs' claims, but should instead dismiss them out of hand. Foremost among them is Myriad's assertion that Plaintiffs' claims should be dismissed in light of the "carefully considered policy of the USPTO," which is "entitled to great respect from the courts." Myriad Br. at 26. In so arguing, Myriad notes the presumption of validity afforded to patents, see 35 U.S.C. § 282, and the USPTO's prior consideration of the eligibility of gene-related patents, see Utility Examination Guidelines 66 Fed. Reg. 1092, 1092-99 (Jan. 5, 2001), as well as the Supreme [\*\*221] Court's statements in *J.E.M. Ag Supply*, 534 U.S. 124, 122 S. Ct. 593, 151 L. Ed. 2d 508

The Federal Circuit has previously held that it owes no deference to USPTO legal determinations. See, e.g., *Arnold P'ship v. Dudas*, 362 F.3d 1338, 1340 (Fed. Cir. 2004) ("This court reviews statutory interpretation, the central issue in this case, without deference."). While Congress has created a presumption of validity for issued patents, approximately 40% of patents challenged in the courts have been found invalid, demonstrating that this presumption is far from absolute. See Institute for Intellectual Property & Information Law, University of Houston Law Center, Patstats.org, Full Calendar Year 2008 Report.

[http://www.patstats.org/2008\\_Full\\_Year\\_Posting.rev3.htm](http://www.patstats.org/2008_Full_Year_Posting.rev3.htm) (indicating that 40% of all validity determinations in federal court in 2008 found the challenged patent invalid); Paul F. Morgan & Bruce Stoner, *Reexamination v. Litigation - Making Intelligent Decisions in Challenging Patent Validity*, 86 J. Pat. & Trademark Off. Soc'y 441-461 (2004) (citing USPTO statistics showing that 74% of patents previously issued by the Patent Office and later challenged through the reexamination process were either canceled or changed by the USPTO). Moreover, the lack of Congressional action to specifically prohibit gene patents in response to the USPTO's prior grant of such patents does not preclude their review by the courts. For example, in *Bilski*, 545 F.3d 943, the Federal Circuit set out a test for the patentability of method claims that potentially will invalidate thousands of patents on business method patents, despite Congress' silence concerning the patentability of such methods. Finally, while the Supreme Court in *J.E.M. Ag Supply* noted the USPTO's practice of issuing patents on sexually [\*\*111] reproducing plants in concluding that such plants represented patentable subject matter under § 101, that passing observation was neither dispositive nor central to the Court's holding and does not establish a rule of judicial deference to the USPTO's practices. See *J.E.M. Ag Supply*, 534 U.S. at 144-45. Indeed, the judicial deference urged by *Myriad* is difficult to reconcile with the courts' consideration of the substantive issues presented in cases such as *Chakrabarty* and indeed, *J.E.M. Ag Supply* itself.

\*\*\*

Submit judgment on notice.

It is so ordered.

New York, N. Y.

March 29, 2010

/s/ Robert W. Sweet

**ROBERT W. SWEET**

**U.S.D.J.**

Back to about:tabs (Alt+Left) | Patstats.org | File Edit View Favorites Tools Help | Find: | Previous Next | Options

# PATSTATS.ORG

A RESOURCE FOR PATENT LITIGATION STATISTICS POSTED BY THE  
UNIVERSITY OF HOUSTON  
INSTITUTE FOR INTELLECTUAL PROPERTY & INFORMATION LAW



Patstats is a web service from the University of Houston Law Center. It has been running since January 1, 2000, and provides quarterly and annual statistics for rulings on forty major issues in patent cases. Occasional special compilations on other patent litigation subjects are also included.

The case population from which the regular statistics are drawn consists of all Federal Circuit rulings (including summary affirmances under Rule 36) and all reported lower tribunal rulings. For more details on the method of compilation, see within.

## U. S. Patent Litigation Statistics

Institute for  
Intellectual  
Property &  
Information Law



201 PM 6/20/2012

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
SERIAL NO.: 85437161	§	LAW OFFICE NO. 116
FILED: Oct. 1, 2011	§	EXAMINING ATTORNEY:
MARK: PATSTATS.ORG	§	Zhaleh Delaney
CLASS NO.: 041	§	

DECLARATION OF RUTH S. McCLESKEY

I, Ruth S. McCleskey, declare:

1. I am a web developer at the University of Houston Law Center ("Law Center"). I have held that position full-time since 2001.
2. Part of my job responsibility is to assist the law faculty in their use of servers operated by the Law Center. The website patstats.org is owned by the University of Houston and is resident on one of the Law Center servers, and has been so resident since at least 2006.
3. I have access to log files indicating the number of internet hits on the patstats.org site, and related information. On April 30, 2012, I used the software WebLog Expert to analyze the logs and compile a report showing the number of hits, number of page views, number of visitors, and similar information, for the period June 9, 2006, through April 30, 2012. That printout is attached hereto.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 5-30-2012

  
Ruth S. McCleskey

## Report for patstats

Time range: 6/9/2006 20:37:01 - 4/30/2012 07:15:07

Generated on Mon Apr 30, 2012 - 08:29:25

## General Statistics

### Summary

### Summary

Hits	
Total Hits	681,652
Average Hits per Day	316
Average Hits per Visitor	2.80
Cached Requests	73,034
Failed Requests	185,994
Page Views	
Total Page Views	349,613
Average Page Views per Day	162
Average Page Views per Visitor	1.43
Visitors	
Total Visitors	243,725
Average Visitors per Day	113
Total Unique IPs	38,928
Bandwidth	
Total Bandwidth	0 B
Average Bandwidth per Day	0 B
Average Bandwidth per Hit	0 B
Average Bandwidth per Visitor	0 B

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
	§	LAW OFFICE NO. 116
SERIAL NO.: 85437161	§	EXAMINING ATTORNEY:
	§	Zlaleh Delaney
FILED: Oct. 1, 2011	§	
	§	
MARK: PATSTATS.ORG	§	
	§	
CLASS NO.: 041	§	

DECLARATION OF JEFFREY JOHNSON

1. I am a partner in the Houston office of the law firm DLA Piper, and Editor in Chief of the web service patstats.org. I attended law school at the University of Houston Law Center, where I received my J.D. degree in 2000.

2. While in law school I studied patent litigation with Professor Paul Janicke. We jointly developed the concept of a web service for attorneys and businesspersons interested in United States patent litigation results. We planned to post on a website quarterly and annual information about court rulings on each of several dozen commonly litigated and judicially determined issues in patent cases. We decided to commence this service at the beginning of the new millennium, i.e., January 1, 2000.

3. Our first quarterly posting occurred shortly after the close of the first quarter of 2000 and has continued uninterrupted to the present time, a period of over twelve years. Patstats.org is utilized by many law firms, companies, and scholars throughout the United States and in other countries. I am often invited, as Editor in Chief, to address conferences of lawyers and judges on the subject of patent litigation rulings, and I am contacted by various persons by telephone and email with inquiries about patent litigation statistics.

4. In all my activities relating to patstats.org, I have always associated the service as a distinct one offered only by the University of Houston Law Center. This

distinctiveness has also been consistently revealed as held by the other persons with whom I have come in contact about the service. In law review and journal articles the service is consistently referred to as a service of the University of Houston Law Center and not merely descriptive of a service of this general type.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 5.29.12

  
Jeffrey L. Johnson

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: UNIVERSITY OF HOUSTON	§	
	§	LAW OFFICE NO. 116
SERIAL NO.: 85437161	§	EXAMINING ATTORNEY:
	§	Zhalch Delaney
FILED: Oct. 1, 2011	§	
	§	
MARK: PATSTATS.ORG	§	
	§	
CLASS NO.: 041	§	

DECLARATION OF RODERICK R. McKELVIE

I, Roderick R. McKelvie, declare:

1. I am senior counsel in the Washington, D.C., office of the law firm Covington & Burling LLC. I have held that position since October of 2011. From January of 2005 to October of 2011, I was a partner at Covington & Burling LLC. From June of 2002 to January of 2005, I was a partner at Fish & Neave. For ten years prior to joining Fish & Neave, I was a United States District Judge of the U.S. District Court for the District of Delaware.

2. Covington & Burling and its clients have a significant interest in United States patent litigation. At least seven years ago I became aware of the web service called patstats.org and during that time period I used it fairly often and regularly recommended it to others. I have always associated this service with the University of Houston Law Center as its source.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

Date: May 30, 2012

Roderick R. McKelvie  
Roderick R. McKelvie

**COURT CITATION**

702 F. Supp. 2d 181, \*, 2010 U.S. Dist. LEXIS 30629, \*\*;  
94 U.S.P.Q.2D (BNA) 1683

**ASSOCIATION FOR MOLECULAR PATHOLOGY, ET AL.,  
Plaintiffs, -against- UNITED STATES PATENT AND  
TRADEMARK OFFICE, ET AL., Defendants.**

**09 Civ. 4515**

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF NEW YORK**

**702 F. Supp. 2d 181; 2010 U.S. Dist. LEXIS 30629; 94 U.S.P.Q.2D  
(BNA) 1683**

**March 29, 2010, Decided  
March 29, 2010, Filed**

\*\*\*

**C. The Composition. Claims Are Invalid Under 35 U.S.C. § 101**

As noted, the issue presented by the instant motions with respect to the composition claims is whether or not claims directed to isolated DNA containing naturally-occurring sequences fall within the products of nature exception to § 101. Based upon the reasons set forth below, it is concluded that the composition claims-in-suit are excepted.

**1. Consideration of the merits of Plaintiffs' challenge is appropriate.**

Myriad [\*\*109] offers several arguments for why this Court should not engage the substance of Plaintiffs' claims, but should instead dismiss them out of hand. Foremost among them is Myriad's assertion that Plaintiffs' claims should be dismissed in light of the "carefully considered policy of the USPTO," which is "entitled to great respect from the courts." Myriad Br. at 26. In so arguing, Myriad notes the presumption of validity afforded to patents, see 35 U.S.C. § 282, and the USPTO's prior consideration of the eligibility of gene-related patents, see Utility Examination Guidelines 66 Fed. Reg. 1092, 1092-99 (Jan. 5, 2001), as well as the Supreme [\*\*221] Court's statements in *J.E.M. Ag Supply*, 534 U.S. 124, 122 S. Ct. 593, 151 L. Ed. 2d 508

The Federal Circuit has previously held that it owes no deference to USPTO legal determinations. See, e.g., *Arnold P'ship v. Dudas*, 362 F.3d 1338, 1340 (Fed. Cir. 2004) ("This court reviews statutory interpretation, the central issue in this case, without deference."). While Congress has created a presumption of validity for issued patents, approximately 40% of patents challenged in the courts have been found invalid, demonstrating that this presumption is far from absolute. See *Institut für Intellectual Property & Information Law, University of Houston Law Center, Patstats.org, Full Calendar Year 2008 Report*

[http://www.patstats.org/2008\\_Full\\_Year\\_Posting\\_rev3.htm](http://www.patstats.org/2008_Full_Year_Posting_rev3.htm) (indicating that 40% of all validity determinations in federal court in 2008 found the challenged patent invalid); Paul F. Morgan & Bruce Stoner, Reexamination v. Litigation - Making Intelligent Decisions in Challenging Patent Validity, 86 J. Pat. & Trademark Off. Soc'y 441-461 (2004) (citing USPTO statistics showing that 74% of patents previously issued by the Patent Office and later challenged through the reexamination process were either canceled or changed by the USPTO). Moreover, the lack of Congressional action to specifically prohibit gene patents in response to the USPTO's prior grant of such patents does not preclude their review by the courts. For example, in *Bilski*, 545 F.3d 943, the Federal Circuit set out a test for the patentability of method claims that potentially will invalidate thousands of patents on business method patents, despite Congress' silence concerning the patentability of such methods. Finally, while the Supreme Court in *J.E.M. Ag Supply* noted the USPTO's practice of issuing patents on sexually [\*\*111] reproducing plants in concluding that such plants represented patentable subject matter under § 101, that passing observation was neither dispositive nor central to the Court's holding and does not establish a rule of judicial deference to the USPTO's practices. See *J.E.M. Ag Supply*, 534 U.S. at 144-45. Indeed, the judicial deference urged by *Myriad* is difficult to reconcile with the courts' consideration of the substantive issues presented in cases such as *Chakrabarty* and indeed, *J.E.M. Ag Supply* itself.

\*\*\*

Submit judgment on notice.

It is so ordered.

New York, N.Y.

March 29, 2010

/s/ Robert W. Sweet

**ROBERT W. SWEET**

**U.S.D.J.**

**EXHIBIT G**



[Home](#) [Searching for patents](#) [Subscription products](#) PATSTAT online (Beta)

## PATSTAT online (Beta)

[Print](#) [Share](#)

PATSTAT, also known as the EPO Worldwide Patent Statistical Database, is a snapshot of the EPO master documentation database (DOCDB) with worldwide coverage. It contains more than 20 tables with bibliographic data, citations and family links of about 70 million applications of more than 80 countries.

There are two flavours of PATSTAT:

### PATSTAT raw data

For a subscription fee, the EPO provides the raw data on DVD and a suggested database structure. It is up to you / your IT department to implement your own local database and populate it with PATSTAT raw data. You have full control over this data to retrieve or manipulate it using SQL. PATSTAT raw data is **not** covered on this page, but you will find more information in the [raw data area](#).

### Download

[PATSTAT online user manual](#) (PDF, 1.4 MB)

[Data Catalog 2014 Spring Edition](#) (PDF, 1.4 MB)

[Data Catalog Oct 2013](#) (PDF, 540 KB)

[Data Catalog April 2013](#) (PDF, 588 KB)

[PATSTAT data elements](#) (PDF, 220 KB)

[SQL self-study course](#) (PDF, 500 KB)

[Sample queries and tips](#) (PDF, 178 KB)

[Comparison of PATSTAT offerings](#) (PDF, 68 KB)

[PATSTAT fiver](#) (PDF, 132 KB)

### PATSTAT online

All you need is a browser to log in to a PATSTAT database which is hosted by the EPO. You retrieve data with SQL and then display, visualize and print the result. You may also download the result to process it further on your local PC.

### Business use

PATSTAT is specifically designed for statistical analysis.

### Direct access

[Open PATSTAT online](#)

Currently **PATSTAT online** is provided as a test version (beta) to all subscribers of PATSTAT raw data.

**PATSTAT online** is hosted on the PISE platform, i. e. EPOs [Patent information services for experts](#). A graphical user interface is provided which accepts SQL-like queries. Also, some special features for statistical analysis and visualisation are included.

**Expert mode of PATSTAT** is a subscription service. The Expert mode of PATSTAT is available with or without INPADOC legal status data.

All subscribers of PATSTAT raw data are currently eligible to access the Expert mode of PATSTAT (test version). Please contact [csc@epo.org](mailto:csc@epo.org) to get a user name and password.

### FREE TRIAL

To try PATSTAT online free of charge for a month, fill out the [Registration form](#). You will receive your username and password by email.

### Update frequency

The data is updated twice per year, usually April and October.

### Subscription

[PATSTAT raw data](#)

### Training

PATSTAT related training can be found at:

[Calendar of events](#) (enter "statistic" as keyword)

[Virtual classroom schedule](#)

### Forum

Use our [discussion forum](#) to talk to other users and EPO experts about PATSTAT.

Last updated: 9.5.2014

**EXHIBIT H**

Generated on: This page was generated by TSDR on 2014-07-22 16:39:03 EDT

Mark: MERGERSTAT

MERGERSTAT

US Serial Number: 78853685      Application Filing Date: Apr. 04, 2006  
US Registration Number: 3282848      Registration Date: Aug. 21, 2007  
Register: Principal  
Mark Type: Service Mark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Jul. 03, 2013  
Publication Date: Jun. 05, 2007

### Mark Information

Mark Literal Elements: MERGERSTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US Registrations: 1776475, 2387880

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

For: providing online databases and information in the field of financial information, corporate mergers acquisitions and divestitures

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1968

Use In Commerce: Dec. 31, 1968

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: FactSet Mergerstat, LLC  
Owner Address: 2950 31st Street, Building T, Suite 130  
Santa Monica, CALIFORNIA 90405  
UNITED STATES  
Legal Entity Type: LIMITED LIABILITY COMPANY      State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: James E. Rosini, Esq.      Docket Number: 2739/76  
Attorney Primary Email: [imdocketny@kenyon.com](mailto:imdocketny@kenyon.com)      Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent Name/Address: James E. Rosini, Esq.  
KENYON & KENYON LLP  
One Broadway  
New York, NEW YORK 10004  
UNITED STATES

Phone: (212) 425-7200

Fax: (212) 425-5288

Correspondent e-mail: [tmocketny@kenyon.com](mailto:tmocketny@kenyon.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 03, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 03, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76985
Jul. 03, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Jun. 19, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jun. 19, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 21, 2007	REGISTERED-PRINCIPAL REGISTER	
Jun. 05, 2007	PUBLISHED FOR OPPOSITION	
May 16, 2007	NOTICE OF PUBLICATION	
Apr. 02, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Apr. 02, 2007	ASSIGNED TO LIE	78145
Mar. 08, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 08, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 07, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 07, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 15, 2006	NON-FINAL ACTION E-MAILED	6325
Sep. 15, 2006	NON-FINAL ACTION WRITTEN	73712
Sep. 15, 2006	ASSIGNED TO EXAMINER	73712
Apr. 11, 2006	NOTICE OF PSEUDO MARK MAILED	
Apr. 07, 2006	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: Jul. 03, 2013

Generated on: This page was generated by TSDR on 2014-07-22 16:40:10 EDT

Mark: STATTRADER

StatTrader

US Serial Number: 77566426                      Application Filing Date: Sep. 10, 2008  
US Registration Number: 4164836                      Registration Date: Jun. 26, 2012  
Register: Principal  
Mark Type: Service Mark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Jun. 26, 2012  
Publication Date: Feb. 03, 2009                      Notice of Allowance Date: Apr. 28, 2009

### Mark Information

Mark Literal Elements: STATTRADER  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((,)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

For: Providing financial data and information via the Internet regarding publicly traded and privately held companies; providing a website at which users may upload and share financial data and information regarding public and private companies

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 29, 2012

Use In Commerce: Feb. 29, 2012

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: StatTrader, LLC  
Owner Address: Suite 319  
42 Ladd Street  
East Greenwich, RHODE ISLAND 02818  
UNITED STATES  
Legal Entity Type: LIMITED LIABILITY COMPANY                      State or Country Where Organized: RHODE ISLAND

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: John L. Welch  
Attorney Primary Email Address: [welch@l-a.com](mailto:welch@l-a.com)                      Attorney Email Authorized: No

#### Correspondent

Correspondent John L. Welch

Name/Address: Lando & Anastasi, LLP  
One Main Street  
Eleventh Floor  
Cambridge, MASSACHUSETTS 02142  
UNITED STATES

Phone: 617-395-7000

Fax: 617-395-7070

Correspondent e-mail: [jlwtrademarks@lalaw.com](mailto:jlwtrademarks@lalaw.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	REGISTERED-PRINCIPAL REGISTER	
May 24, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 23, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
May 16, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 11, 2012	STATEMENT OF USE PROCESSING COMPLETE	65362
Apr. 09, 2012	USE AMENDMENT FILED	65362
Apr. 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 28, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 27, 2011	EXTENSION 5 GRANTED	65362
Oct. 21, 2011	EXTENSION 5 FILED	65362
Oct. 21, 2011	TEAS EXTENSION RECEIVED	
Jun. 28, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 27, 2011	EXTENSION 4 GRANTED	65362
Apr. 28, 2011	EXTENSION 4 FILED	65362
Jun. 27, 2011	EXTENSION RECEIVED WITH TEAS PETITION	
Jun. 27, 2011	PETITION TO REVIVE-GRANTED	88889
Jun. 27, 2011	TEAS PETITION TO REVIVE RECEIVED	
May 31, 2011	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
May 30, 2011	ABANDONMENT - NO USE STATEMENT FILED	99999
Oct. 29, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 28, 2010	EXTENSION 3 GRANTED	65362
Oct. 26, 2010	EXTENSION 3 FILED	65362
Oct. 26, 2010	TEAS EXTENSION RECEIVED	
Aug. 12, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 11, 2010	EXTENSION 2 GRANTED	65362
Apr. 28, 2010	EXTENSION 2 FILED	65362
Aug. 11, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jun. 28, 2010	EXTENSION RECEIVED WITH TEAS PETITION	
Jun. 28, 2010	PETITION TO REVIVE-GRANTED	88889
Jun. 28, 2010	TEAS PETITION TO REVIVE RECEIVED	
Jun. 01, 2010	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
May 31, 2010	ABANDONMENT - NO USE STATEMENT FILED	99999
Apr. 28, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 23, 2009	EXTENSION 1 GRANTED	98765
Oct. 23, 2009	EXTENSION 1 FILED	98765
Oct. 23, 2009	TEAS EXTENSION RECEIVED	
Apr. 28, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 03, 2009	PUBLISHED FOR OPPOSITION	
Jan. 14, 2009	NOTICE OF PUBLICATION	

Dec. 31, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Dec. 31, 2008	ASSIGNED TO LIE	66213
Dec. 17, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 15, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 15, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 13, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 13, 2008	NON-FINAL ACTION E-MAILED	6325
Dec. 13, 2008	NON-FINAL ACTION WRITTEN	78329
Dec. 13, 2008	ASSIGNED TO EXAMINER	78329
Sep. 16, 2008	NOTICE OF PSEUDO MARK MAILED	
Sep. 15, 2008	NEW APPLICATION ENTERED IN TRAM	

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### TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 23, 2012

Generated on: This page was generated by TSDR on 2014-07-22 16:40:47 EDT

Mark: TRIALSTAT

TRIALSTAT

US Serial Number: 77095028      Application Filing Date: Jan. 30, 2007  
US Registration Number: 3465226      Registration Date: Jul. 15, 2008  
Register: Principal  
Mark Type: Service Mark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Jul. 15, 2008  
Publication Date: Apr. 29, 2008

### Mark Information

Mark Literal Elements: TRIALSTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Foreign Information

Priority Claimed: Yes  
Foreign Application Number: 1331884      Foreign Application Filing Date: Jan. 18, 2007  
Foreign Registration Number: TMA704.419      Foreign Registration Date: Jan. 11, 2008  
Foreign Application/Registration Country: CANADA      Foreign Expiration Date: Jan. 11, 2023

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: on-line web based platform featuring hosted software for managing work flow, documents, and data used in relation to evaluating research results in all disciplines, namely, systematic reviews of research work

International Class(es): 042 - Primary Class      U.S Class(es): 100, 101  
Class Status: ACTIVE  
Basis: 44(e)

### Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: Yes	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: TrialStat Corporation  
Owner Address: 44 Byward Market Square, Suite 270  
Ottawa, Ontario K1N7A2  
CANADA  
Legal Entity Type: CORPORATION      State or Country Where Organized: CANADA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Laura M. Kelley  
Attorney Primary Email Address: [instructions@myersbigel.com](mailto:instructions@myersbigel.com)  
Docket Number: 9683-24  
Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Laura M. Kelley  
Myers Bigel Sibley & Sajovec PA  
4140 Parklake Avenue  
Suite 600  
Raleigh, NORTH CAROLINA 27612  
UNITED STATES  
Phone: (919)854-1400  
Correspondent e-mail: [instructions@myersbigel.com](mailto:instructions@myersbigel.com)  
Fax: (919)854-1401  
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 15, 2014	TEAS SECTION 8 & 15 RECEIVED	
Oct. 12, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 12, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 15, 2008	REGISTERED-PRINCIPAL REGISTER	
Apr. 29, 2008	PUBLISHED FOR OPPOSITION	
Apr. 09, 2008	NOTICE OF PUBLICATION	
Mar. 25, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Mar. 25, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 13, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 13, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 13, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 13, 2008	EXAMINERS AMENDMENT -WRITTEN	82427
Feb. 07, 2008	AMENDMENT FROM APPLICANT ENTERED	70468
Feb. 07, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	70468
Feb. 04, 2008	PAPER RECEIVED	
Oct. 10, 2007	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Oct. 10, 2007	LETTER OF SUSPENSION E-MAILED	6332
Oct. 10, 2007	SUSPENSION LETTER WRITTEN	82427
Sep. 20, 2007	AMENDMENT FROM APPLICANT ENTERED	70468
Sep. 20, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70468
Sep. 20, 2007	ASSIGNED TO LIE	70468
Aug. 13, 2007	PAPER RECEIVED	
Apr. 13, 2007	NON-FINAL ACTION E-MAILED	6325
Apr. 13, 2007	NON-FINAL ACTION WRITTEN	82427
Mar. 27, 2007	ASSIGNED TO EXAMINER	82427
Feb. 03, 2007	NOTICE OF PSEUDO MARK MAILED	
Feb. 02, 2007	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 15, 2008



**Attorney of Record**

Attorney Name: Andrew N. Spivak  
 Attorney Primary Email [aspivak@mosaiclegalgroup.com](mailto:aspivak@mosaiclegalgroup.com) Attorney Email Yes  
 Address: Authorized:

**Correspondent**

Correspondent Name/Address: Andrew N. Spivak  
 MOSAIC LEGAL GROUP, PLLC  
 5185 MACARTHUR BOULEVARD, NW, SUITE 350  
 WASHINGTON, DISTRICT OF COLUMBIA 20016-3341  
 UNITED STATES  
 Phone: (202) 600-2270 Fax: (202) 600-2261  
 Correspondent e-mail [aspivak@mosaiclegalgroup.com](mailto:aspivak@mosaiclegalgroup.com) Yes  
 Authorized:

**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Apr. 20, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 20, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 20, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 09, 2013	TEAS SECTION 8 & 15 RECEIVED	
Oct. 11, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 11, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 16, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 16, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 09, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 24, 2007	PUBLISHED FOR OPPOSITION	
Jul. 04, 2007	NOTICE OF PUBLICATION	
Jun. 28, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 27, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 19, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Jun. 18, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 18, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Jun. 18, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Jun. 15, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 12, 2007	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jun. 12, 2007	FINAL REFUSAL E-MAILED	
Jun. 12, 2007	FINAL REFUSAL WRITTEN	66508
May 22, 2007	AMENDMENT FROM APPLICANT ENTERED	67287
May 22, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
May 22, 2007	ASSIGNED TO LIE	67287
May 02, 2007	PAPER RECEIVED	
Mar. 08, 2007	NON-FINAL ACTION E-MAILED	6325
Mar. 08, 2007	NON-FINAL ACTION WRITTEN	66508
Mar. 08, 2007	ASSIGNED TO EXAMINER	66508
Nov. 01, 2006	NOTICE OF PSEUDO MARK MAILED	
Oct. 31, 2006	NEW APPLICATION ENTERED IN TRAM	

**Maintenance Filings or Post Registration Information**

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

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## TM Staff and Location Information

---

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Apr. 20, 2013



Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: JAMES E. ROSINI,

### Correspondent

Correspondent Name/Address: James E. Rosini, Esq.  
Kenyon & Kenyon LLP  
One Broadway  
New York, NEW YORK 10004  
UNITED STATES

Phone: (212) 425-7200

Fax: (212) 425-5288

Correspondent e-mail: [tmocketny@kenyon.com](mailto:tmocketny@kenyon.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68335
Jun. 26, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68335
Jun. 26, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Jun. 17, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jun. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 11, 2009	CASE FILE IN TICRS	
Sep. 11, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 11, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 17, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 16, 2003	TEAS SECTION 8 & 9 RECEIVED	
Jul. 28, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 24, 2000	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 15	
Dec. 28, 1999	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Jun. 11, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 15, 1993	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 1993	PUBLISHED FOR OPPOSITION	
Feb. 19, 1993	NOTICE OF PUBLICATION	
Jan. 21, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 12, 1993	EXAMINER'S AMENDMENT MAILED	
Dec. 08, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 04, 1992	NON-FINAL ACTION MAILED	
May 26, 1992	ASSIGNED TO EXAMINER	61272

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 15, 2013

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 26, 2013

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 8

Registrant: Merrill Lynch & Co., Inc.

### Assignment 1 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1358/0281

Pages: 2

Date Recorded: May 24, 1995

Supporting Documents: No Supporting Documents Available

#### Assignor

Name: MERRILL LYNCH & CO., INC.

Execution Date: May 23, 1995

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: MERRILL LYNCH BUSINESS FINANCIAL SERVICES, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 800 SCUDDERS MILL ROAD  
PLANSBORO, NEW JERSEY 08536

#### Correspondent

Correspondent Name: BRENDAN J. O'ROURKE, ESQ

Correspondent Address: PAUL, HASTING, JANOFSKY, ET AL  
399 PARK AVENUE  
31ST FLOOR  
NEW YORK, NEW YORK 10022

Domestic Representative - Not Found

### Assignment 2 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1381/0748

Pages: 2

Date Recorded: Jun. 22, 1995

Supporting Documents: No Supporting Documents Available

#### Assignor

Name: MERRILL LYNCH BUSINESS FINANCIAL SERVICES, INC.

Execution Date: May 26, 1995

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: HOULIHAN LOKEY HOWARD & ZUKIN

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1930 CENTURY PARK WEST, SECOND FLOOR  
LOS ANGELES, CALIFORNIA 90067

#### Correspondent

Correspondent Name: MARGARET M. DUNCAN

Correspondent Address: MCDERMOTT, WILL & EMERY  
227 W. MONROE  
CHICAGO, IL 60606

Domestic Representative - Not Found

### Assignment 3 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2138/0653

Pages: 3

Date Recorded: Aug. 22, 2000

Supporting Documents: assignment-tm-2138-0653.pdf

#### Assignor

Name: HOULIHAN, LOKEY, HOWARD & ZUKIN, INC.

Execution Date: Aug. 14, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

#### Assignee

Name: APPLIED FINANCIAL INFORMATION

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Organized:

Address: 1933 PONTIUS AVENUE  
LOS ANGELES, CALIFORNIA 90025

Correspondent

Correspondent Name: MANATT, PHELPS & PHILLIPS, LLP  
Correspondent Address: JILL M. PIETRINI  
11355 W. OLYMPIC BLVD.  
LOS ANGELES, CA 90064

Domestic Representative - Not Found

**Assignment 4 of 8**

Conveyance: RE-RECORD TO CORRECT THE ASSIGNEE'S NAME PREVIOUSLY RECORDED ON REEL/FRAE 002138/0653.

Reel/Frame: 2651/0401

Pages: 5

Date Recorded: Jan. 09, 2003

Supporting Documents: [assignment-tm-2651-0401.pdf](#)

Assignor

Name: HOULIHAN, LOKEY, HOWARD & ZUKIN, INC. Execution Date: Aug. 14, 2000  
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: APPLIED FINANCIAL INFORMATION, L.L.C.  
Legal Entity Type: LIMITED LIABILITY CORPORATION State or Country Where Organized: No Place Where Organized Found

Address: 1933 PONTIUS AVENUE  
LOS ANGELES, CALIFORNIA 90025

Correspondent

Correspondent Name: JILL M. PIETRINI, ESQ.  
Correspondent Address: MANATT, PHELPS & PHILLIPS, LLP  
11355 W. OLYMPIC BLVD.  
LOS ANGELES, CA 90064

Domestic Representative - Not Found

**Assignment 5 of 8**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2657/0721

Pages: 3

Date Recorded: Jan. 17, 2003

Supporting Documents: [assignment-tm-2657-0721.pdf](#)

Assignor

Name: MERGERSTAT HOLDINGS, L.P. Execution Date: Jan. 16, 2003  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Assignee

Name: APPLIED FINANCIAL INFORMATION, L.P.  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Address: 1930 CENTURY PARK WEST  
LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: MANATT, PHELPS & PHILLIPS, LLP  
Correspondent Address: JILL M. PIETRINI, ESQ.  
11355 W. OLYMPIC BOULEVARD  
LOS ANGELES, CALIFORNIA 90064

Domestic Representative - Not Found

**Assignment 6 of 8**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2658/0203

Pages: 3

Date Recorded: Jan. 17, 2003

Supporting Documents: [assignment-tm-2658-0203.pdf](#)

Assignor

Name: HOULIHAN, LOKEY, HOWARD & ZUKIN, INC. Execution Date: Jan. 16, 2003  
Legal Entity Type: CORPORATION State or Country Where Organized: CALIFORNIA

Assignee

Name: MERGERSTAT HOLDINGS, L.P.  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Address: 1930 CENTURY PARK WEST  
LOS ANGELES, CALIFORNIA 90067

Correspondent

Correspondent Name: MANATT, PHELPS & PHILIPS LLP  
Correspondent Address: JILL M. PIETRINI  
11355 W. OLYMPIC BOULEVARD  
LOS ANGELES, CA 90064

Domestic Representative - Not Found

Assignment 7 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2658/0446

Pages: 2

Date Recorded: Jan. 17, 2003

Supporting Documents: assignment-lm-2658-0446.pdf

Assignor

Name: APPLIED FINANCIAL INFORMATION, L.P. Execution Date: Jan. 16, 2003  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Assignee

Name: MERGERSTAT HOLDINGS, L.P.  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Address: 2150 COLORADO AVENUE  
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: MANATT, PHELPS & PHILLIPS, LLP  
Correspondent Address: JILL M. PIETRINI, ESQ.  
11355 W. OLYMPIC BOULEVARD  
LOS ANGELES, CA 90064

Domestic Representative - Not Found

Assignment 8 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2661/0681

Pages: 4

Date Recorded: Jan. 28, 2003

Supporting Documents: assignment-lm-2661-0681.pdf

Assignor

Name: MERGERSTAT HOLDINGS, L.P. Execution Date: Jan. 22, 2003  
Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: DELAWARE

Assignee

Name: FACTSET MERGERSTAT, LLC  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Address: 2150 COLORADO AVENUE  
SANTA MONICA, CALIFORNIA 90404

Correspondent

Correspondent Name: MANATT, PHELPS & PHILLIPS, LLP  
Correspondent Address: JILL M. PIETRINI, ESQ.  
11355 W. OLYMPIC BOULEVARD  
LOS ANGELES, CALIFORNIA 90064

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-07-28 18:20:57 EDT

Mark: JURISTAT

# JURISTAT

US Serial Number: 86167360

Application Filing Date: Jan. 16, 2014

Register: Principal

Mark Type: Service Mark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 21, 2014

## Mark Information

Mark Literal Elements: JURISTAT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Collection and compilation of data related to patent applications into computer databases and providing data reporting, mining, analysis, and visualization services through web-based and standalone computer software

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 16, 2013

Use In Commerce: Oct. 16, 2013

## Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: Datanalytics, Inc.

DBA, AKA, Formerly: DBA Juristat

Owner Address: Suite 1318  
611 Olive Street  
St. Louis, MISSOURI 63101  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Benjamin J. Siders

Attorney Primary Email Address: [ljdept@lewisrice.com](mailto:ljdept@lewisrice.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent BENJAMIN J. SIDERS

Name/Address: LEWIS, RICE & FINGERSH, L.C.  
600 WASHINGTON AVE STE 2500  
SAINT LOUIS, MISSOURI 63101-1311  
UNITED STATES

Phone: 314-444-7805

Fax: 314-612-1301

Correspondent e-mail: [lpdept@lewisrice.com](mailto:lpdept@lewisrice.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 21, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 21, 2014	NON-FINAL ACTION E-MAILED	6325
Apr. 21, 2014	NON-FINAL ACTION WRITTEN	83191
Apr. 21, 2014	ASSIGNED TO EXAMINER	83191
Jan. 29, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 20, 2014	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

#### TM Staff Information

TM Attorney: LORENZO, KATHLEEN H

Law Office Assigned: LAW OFFICE 109

#### File Location

Current Location: TMEG LAW OFFICE 109 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: Apr. 21, 2014



2121 Avenue of the Stars  
Suite 2800  
Los Angeles, CALIFORNIA 90067  
UNITED STATES

Phone: (310) 734-3200

Fax: (310) 734-3300

Correspondent e-mail: [ccipdocketing@steploe.com](mailto:ccipdocketing@steploe.com) [bquist@steploe.com](mailto:bquist@steploe.com)  
[miyake@steploe.com](mailto:miyake@steploe.com) [lware@steploe.com](mailto:lware@steploe.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 16, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 13, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 09, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 08, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
Nov. 01, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 25, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Oct. 18, 2011	USE AMENDMENT FILED	71034
Oct. 19, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Oct. 18, 2011	TEAS STATEMENT OF USE RECEIVED	
Apr. 19, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 22, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 22, 2011	PUBLISHED FOR OPPOSITION	
Jan. 14, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Jan. 14, 2011	ASSIGNED TO LIE	73787
Dec. 18, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 18, 2010	ASSIGNED TO EXAMINER	67659
Sep. 14, 2010	NOTICE OF PSEUDO MARK MAILED	
Sep. 13, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 08, 2011



Organized:

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### Attorney/Correspondence Information

---

Attorney of Record

Attorney Name: David J. Schnurr

Docket Number: 143150.0001

Correspondent

Correspondent Name/Address: DAVID J. SCHNURR  
MILLER THOMSON LLP  
295 HAGEY BLVD., SUITE 300  
WATERLOO N2L6R5  
CANADA

Phone: 519-593-3287

Fax: 519-743-2540

Domestic Representative - Not Found

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### Prosecution History

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Date	Description	Proceeding Number
Oct. 02, 2012	REGISTERED-PRINCIPAL REGISTER	
Jul. 17, 2012	PUBLISHED FOR OPPOSITION	
Jun. 27, 2012	NOTICE OF PUBLICATION	
Jun. 12, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 07, 2012	ASSIGNED TO EXAMINER	78179
Mar. 08, 2012	NOTICE OF PSEUDO MARK MAILED	
Mar. 07, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

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### TM Staff and Location Information

---

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 02, 2012



Phone: 5164579497

Correspondent e-mail: [adam.kronengold@gmail.com](mailto:adam.kronengold@gmail.com)  
[adam@stusbstats.co](mailto:adam@stusbstats.co)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 10, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Dec. 04, 2012	ASSIGNED TO LIE	70884
Nov. 20, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 01, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 01, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 30, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Oct. 26, 2012	USE AMENDMENT FILED	76874
Oct. 29, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Oct. 26, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 23, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 28, 2012	PUBLISHED FOR OPPOSITION	
Aug. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2012	ASSIGNED TO EXAMINER	77986
Apr. 11, 2012	NOTICE OF PSEUDO MARK MAILED	
Apr. 10, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 05, 2012	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Dec. 10, 2012



Attorney Name: Annette P. Heller  
Attorney Primary Email [tmattorneypto@aol.com](mailto:tmattorneypto@aol.com)  
Address:

Docket Number: M299 008TM  
Attorney Email No  
Authorized:

Correspondent

Correspondent Name/Address: ANNETTE P. HELLER  
HELLER & ASSOCIATES  
400 CHESTERFIELD CTR STE 400  
CHESTERFIELD, MISSOURI 63017-4800  
UNITED STATES

Phone: (314) 469-2610

Fax: (314) 469-4850

Correspondent e-mail: [tmattorneypto@aol.com](mailto:tmattorneypto@aol.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 17, 2012	REGISTERED-PRINCIPAL REGISTER	
Jan. 31, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 31, 2012	PUBLISHED FOR OPPOSITION	
Jan. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 27, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Dec. 27, 2011	ASSIGNED TO LIE	66213
Dec. 05, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 05, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 05, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 05, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 05, 2011	EXAMINERS AMENDMENT -WRITTEN	63030
Dec. 05, 2011	ASSIGNED TO EXAMINER	63030
Aug. 18, 2011	NOTICE OF PSEUDO MARK MAILED	
Aug. 17, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 16, 2011	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Apr. 17, 2012



Name/Address: NAVIGANT CONSULTING, INC.  
30 S WACKER DR STE 3550  
CHICAGO, ILLINOIS 60606-7481  
UNITED STATES

Phone: 312-583-2688

Fax: 312-573-5678

Correspondent e-mail: [dawn.cassie@navigant.com](mailto:dawn.cassie@navigant.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2012	REGISTERED-PRINCIPAL REGISTER	
Jan. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 17, 2012	PUBLISHED FOR OPPOSITION	
Dec. 28, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 12, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 2011	ASSIGNED TO EXAMINER	78199
Aug. 27, 2011	NOTICE OF PSEUDO MARK MAILED	
Aug. 26, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 25, 2011	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Apr. 03, 2012

Generated on: This page was generated by TSDR on 2014-07-22 16:47:27 EDT

Mark: FILESTAT

FileStat

US Serial Number: 85121569      Application Filing Date: Sep. 02, 2010  
US Registration Number: 4064419      Registration Date: Nov. 29, 2011  
Register: Principal  
Mark Type: Trademark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Nov. 29, 2011  
Publication Date: Feb. 01, 2011      Notice of Allowance Date: Mar. 29, 2011

### Mark Information

Mark Literal Elements: FILESTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Computer software that provides web-based access to applications and services through a web operating system or portal interface

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 028, 038, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 02, 2010

Use in Commerce: May 21, 2011

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: UniMed Direct  
Owner Address: Suite 122  
5068 West Plano Parkway  
Plano, TEXAS 75093  
UNITED STATES  
Legal Entity Type: LIMITED LIABILITY COMPANY      State or Country Where Organized: TEXAS

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tina M. Chartier  
Attorney Primary Email Address: [chartieresg@comcast.net](mailto:chartieresg@comcast.net)      Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: TINA M. CHARTIER  
TINA M.CHARTIER ATTORNEY AT LAW

458 RESERVOIR RD  
VERNON, CONNECTICUT 06066-5615  
UNITED STATES

Phone: 413-237-6130

Fax: 888-526-4181

Correspondent e-mail: [chartieresq@comcast.net](mailto:chartieresq@comcast.net)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Nov. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Oct. 22, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 21, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Oct. 19, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 29, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Sep. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Sep. 24, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 16, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Sep. 16, 2011	NON-FINAL ACTION E-MAILED	
Sep. 16, 2011	SU - NON-FINAL ACTION - WRITTEN	82415
Aug. 17, 2011	ASSIGNED TO EXAMINER	82415
Aug. 08, 2011	STATEMENT OF USE PROCESSING COMPLETE	76873
Jul. 19, 2011	USE AMENDMENT FILED	76873
Aug. 08, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Jul. 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Mar. 29, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 01, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 01, 2011	PUBLISHED FOR OPPOSITION	
Dec. 29, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Dec. 29, 2010	ASSIGNED TO LIE	66213
Dec. 06, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 2010	ASSIGNED TO EXAMINER	78329
Sep. 08, 2010	NOTICE OF PSEUDO MARK MAILED	
Sep. 07, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 06, 2010	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 21, 2011



### Prosecution History

Date	Description	Proceeding Number
Jun. 14, 2011	REGISTERED-PRINCIPAL REGISTER	
May 13, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 12, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
May 11, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	66154
May 07, 2011	USE AMENDMENT FILED	66154
May 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
May 07, 2011	TEAS STATEMENT OF USE RECEIVED	
Feb. 01, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 07, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 07, 2010	PUBLISHED FOR OPPOSITION	
Nov. 01, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Nov. 01, 2010	ASSIGNED TO LIE	77312
Oct. 18, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 17, 2010	ASSIGNED TO EXAMINER	66508
Jul. 10, 2010	NOTICE OF PSEUDO MARK MAILED	
Jul. 09, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 09, 2010	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 12, 2011



Correspondent TINA M. CHARTIER  
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458 RESERVOIR RD  
VERNON, CONNECTICUT 06066-5615  
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Correspondent e-mail: [chartieresq@comcast.net](mailto:chartieresq@comcast.net)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 19, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 01, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 01, 2011	PUBLISHED FOR OPPOSITION	
Dec. 29, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Dec. 29, 2010	ASSIGNED TO LIE	66213
Dec. 06, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 2010	ASSIGNED TO EXAMINER	78329
Aug. 28, 2010	NOTICE OF PSEUDO MARK MAILED	
Aug. 27, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 27, 2010	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Apr. 19, 2011

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Mark: POCKETSTAT

pocketSTAT

US Serial Number: 79119174

Application Filing Date: Aug. 14, 2012

US Registration Number: 4356004

Registration Date: Jun. 25, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 25, 2013

Publication Date: Apr. 09, 2013

## Mark Information

Mark Literal Elements: POCKETSTAT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 1132395

International Registration Date: Aug. 14, 2012

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Electronic measuring instruments for electrochemical analysis; software for processing electrochemical measurement results; measurement instruments for material analysis, namely, electronic analyzers for measuring, testing and detecting contaminants and environmental pollutants

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 035, 038

Class Status: ACTIVE

Basis: 68(a)

## Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: Yes	Currently 66A: Yes	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: Ivium Technologies B.V.

Owner Address: De Zaale 11  
NL-5612 AJ Eindhoven  
NETHERLANDS

Legal Entity Type: B.V.

State or Country Where Organized: NETHERLANDS

## Attorney/Correspondence Information

Attorney of Record - None  
Correspondent

Correspondent Ivium Technologies B.V.

Name/Address: De Zaale 11  
NL-5612 AJ Eindhoven  
NETHERLANDS

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Oct. 15, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Sep. 26, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Sep. 26, 2013	FINAL DISPOSITION PROCESSED	67445
Sep. 25, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jun. 25, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 2013	NOTIFICATION PROCESSED BY IB	
Apr. 09, 2013	PUBLISHED FOR OPPOSITION	
Mar. 20, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Mar. 20, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Mar. 20, 2013	NOTICE OF PUBLICATION	
Mar. 04, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Mar. 04, 2013	ASSIGNED TO LIE	68171
Feb. 20, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 31, 2013	EXAMINERS AMENDMENT MAILED	
Jan. 31, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 31, 2013	EXAMINERS AMENDMENT -WRITTEN	85329
Jan. 08, 2013	REFUSAL PROCESSED BY IB	
Dec. 14, 2012	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Dec. 14, 2012	REFUSAL PROCESSED BY MPU	67445
Dec. 14, 2012	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Dec. 13, 2012	NON-FINAL ACTION WRITTEN	85329
Dec. 11, 2012	ASSIGNED TO EXAMINER	85329
Nov. 06, 2012	APPLICATION FILING RECEIPT MAILED	
Nov. 01, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 27, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### International Registration Information (Section 66a)

International Registration Number: 1132395	International Registration Date: Aug. 14, 2012
Priority Claimed Flag: Yes	Date of Section 67 Priority Claim: Mar. 12, 2012
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Oct. 27, 2012
Notification of Designation Date: Oct. 25, 2012	Date of Automatic Protection: Apr. 25, 2014
International Registration Renewal Date: Aug. 14, 2022	
First Refusal Flag: Yes	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 25, 2013

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Mark: RAPID STAT

**RAPID STAT**

US Serial Number: 79042310  
US Registration Number: 3608956

Application Filing Date: Apr. 20, 2007

Registration Date: Apr. 21, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 21, 2009

Publication Date: Jan. 08, 2009

### Mark Information

Mark Literal Elements: RAPID STAT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Translation: The wording "RAPID STAT" has no meaning in a foreign language.

### Related Properties Information

International Registration Number: 0933737

International Registration Date: Apr. 20, 2007

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: DIAGNOSTIC REAGENT TEST STRIPS FOR THE DETECTION OF DRUGS IN SALIVA AND URINE; DRUG TEST KITS FOR MEDICAL PURPOSES COMPRISED OF CHEMICALS IN THE FORM OF DIAGNOSTIC REAGENTS; SANITARY PREPARATIONS FOR MEDICAL PURPOSES; DIETETIC PRODUCTS, NAMELY, BABY FOOD; MEDICAL PLASTERS, NAMELY, MATERIAL FOR DRESSINGS; DENTAL MATERIAL FOR TEETH FILLINGS AND CASTING COMPOUNDS FOR DENTAL PURPOSES; ALL PURPOSE DISINFECTANTS FOR HANDS AND SURFACES; PREPARATIONS FOR DESTROYING VERMIN; FUNGICIDES, HERBICIDES

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 66(a)

For: PHOTOGRAPHIC, CINEMATOGRAPHIC AND OPTICAL, APPARATUS, NAMELY, BLANK MAGNETIC DATA CARRIERS AND RECORDING DISCS; CASH REGISTERS, CALCULATORS, DATA PROCESSORS AND COMPUTERS; FIRE EXTINGUISHERS

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 66(a)

For: [ PHOTOGRAPHS; STATIONERY; ADHESIVES FOR PAPER, STATIONERY AND HOUSEHOLD PURPOSES; ] PAINT BRUSHES; PRINTERS' TYPE; PRINTING BLOCKS

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 66(a)

### Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: MATEST Systemtechnik GmbH

Owner Address: Ulrichstr. 23  
72116 Mössingen  
GERMANY

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: GERMANY

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Ursula B. Day

Docket Number: TM/RAPID STA

Attorney Primary Email Address: [ulday@alt.net](mailto:ulday@alt.net)

Attorney Email Authorized: No

#### Correspondent

Correspondent Name/Address: URSULA B DAY  
LAW FIRM OF URSULA B. DAY  
708 3RD AVE RM 1501  
NEW YORK, NEW YORK 10017-4109  
UNITED STATES

Phone: 212-904-1815

Fax: 212-244-2233

#### Domestic Representative

Domestic Representative Name: Ursula B. Day

Domestic Representative e-mail: [ulday@alt.net](mailto:ulday@alt.net)

Domestic Representative e-mail Authorized: Yes

### Prosecution History

Date	Description	Proceeding Number
Dec. 16, 2013	INVALIDATION REVIEWED - NO ACTION REQUIRED BY OFFICE	72589
Mar. 28, 2013	CERTIFICATE OF CORRECTION ISSUED	76293
Mar. 28, 2013	ASSIGNED TO PARALEGAL	76293
Jan. 22, 2013	PARTIAL INVALIDATION OF REG EXT PROTECTION CREATED	
Jan. 11, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
May 22, 2012	LIMITATION FROM THE IB EXAMINED AND ENTERED	68359
May 22, 2012	CERTIFICATE OF CORRECTION ISSUED	76293
May 22, 2012	ASSIGNED TO PARALEGAL	76293
Apr. 22, 2012	LIMITATION OF GOODS RECEIVED FROM IB	
Aug. 04, 2009	FINAL DISPOSITION NOTICE SENT TO IB	
Aug. 04, 2009	FINAL DISPOSITION PROCESSED	68359
Jul. 21, 2009	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Apr. 21, 2009	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 2009	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 06, 2009	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Feb. 19, 2009	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Feb. 19, 2009	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Jan. 07, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 06, 2009	PUBLISHED FOR OPPOSITION	
Dec. 17, 2008	NOTICE OF PUBLICATION	
Dec. 04, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Dec. 04, 2008	ASSIGNED TO LIE	74221
Dec. 03, 2008	ASSIGNED TO LIE	70102
Nov. 24, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	

Oct. 08, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 08, 2008	EXAMINERS AMENDMENT MAILED	
Oct. 08, 2008	EXAMINERS AMENDMENT -WRITTEN	82095
May 22, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 28, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 28, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 08, 2008	NON-FINAL ACTION MAILED	
Apr. 07, 2008	NON-FINAL ACTION WRITTEN	82095
Apr. 03, 2008	AMENDMENT FROM APPLICANT ENTERED	74221
Apr. 03, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	74221
Apr. 03, 2008	ASSIGNED TO LIE	74221
Apr. 01, 2008	FAX RECEIVED	
Oct. 19, 2007	REFUSAL PROCESSED BY IB	
Oct. 01, 2007	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Oct. 01, 2007	REFUSAL PROCESSED BY MPU	74217
Sep. 29, 2007	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Sep. 28, 2007	NON-FINAL ACTION WRITTEN	82095
Sep. 14, 2007	ASSIGNED TO EXAMINER	82095
Sep. 14, 2007	NEW APPLICATION ENTERED IN TRAM	
Sep. 13, 2007	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### International Registration Information (Section 66a)

International Registration Number: 0933737	International Registration Date: Apr. 20, 2007
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Sep. 13, 2007
Notification of Designation Date: Sep. 13, 2007	Date of Automatic Protection: Mar. 13, 2009
International Registration Renewal Date: Apr. 20, 2017	
First Refusal Flag: Yes	

### Maintenance Filings or Post Registration Information

Change In Registration: Yes

Correction made to Registration: Column 2, line 3 through 5, "PHOTOGRAPHS; STATIONERY; ADHESIVES FOR PAPER, STATIONERY AND HOUSEHOLD PURPOSES;" should be deleted in class 16. Line 21, "Expires 4-20-2017" should be inserted.

### TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: POST REGISTRATION Date in Location: May 01, 2013

### Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Extension of Time

Proceeding Number: 79042310	Filing Date: Jan 07, 2009
Status: Terminated	Status Date: Mar 18, 2009
Interlocutory Attorney:	

#### Defendant

Name: MATEST Systemtechnik GmbH

Correspondent Address: URSULA B DAY  
LAW FIRM OF URSULA B. DAY  
708 3RD AVE RM 1501  
NEW YORK NY, 10017-4109

UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
RAPID STAT	Registered	<u>79042310</u>	<u>3608956</u>

Potential Opposer(s)

Name: edmund m jaskiewicz

Correspondent Address: edmund m jaskiewicz  
edmund m jaskiewicz  
1730 m streetsuite 400  
washington DC , 20036  
UNITED STATES

Correspondent e-mail: [patentmanj@comcast.net](mailto:patentmanj@comcast.net)

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jan 07, 2009	
2	EXTENSION OF TIME GRANTED	Jan 07, 2009	
3	NOTICE OF OPPOSITION	Mar 05, 2009	
4	OPPOSITION DENIED	Mar 18, 2009	
5	TERMINATED	Mar 18, 2009	

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Mark: MYSTATS

# MyStats

US Serial Number: 79102043

Application Filing Date: Aug. 11, 2011

US Registration Number: 4181392

Registration Date: Jul. 31, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 31, 2012

Publication Date: May 15, 2012

## Mark Information

Mark Literal Elements: MYSTATS

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Color(s) Claimed: Color is not claimed as a feature of the mark.

## Related Properties Information

International Registration Number: 1089341

International Registration Date: Aug. 11, 2011

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Computer programs to enable to record and analyze activities, results, status and any other information of individuals or organizations

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 66(a)

For: Computer software design; computer programming; maintenance of computer software

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 66(a)

## Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: Yes	Currently 66A: Yes	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: NEOREX Co., Ltd.

Owner Address: 4-25, Temma 1-chome  
Atsuta-ku, Nagoya-shi  
Aichi 456-0034  
JAPAN

Legal Entity Type: CORPORATION

State or Country Where: JAPAN

Organized:

## Attorney/Correspondence Information

Attorney of Record - None  
Correspondent

Correspondent NEOREX CO., LTD.  
Name/Address: 4-25, TEMMA 1-CHOME  
ATSUTA-KU  
AICHI 456-0034  
JAPAN

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 27, 2012	FINAL DECISION TRANSACTION PROCESSED BY IB	
Nov. 07, 2012	FINAL DISPOSITION NOTICE SENT TO IB	
Nov. 07, 2012	FINAL DISPOSITION PROCESSED	67445
Oct. 31, 2012	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jul. 31, 2012	REGISTERED-PRINCIPAL REGISTER	
May 15, 2012	PUBLISHED FOR OPPOSITION	
Apr. 25, 2012	NOTICE OF PUBLICATION	
Apr. 11, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Apr. 10, 2012	ASSIGNED TO LIE	67287
Mar. 21, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 21, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 21, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 21, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 24, 2011	REFUSAL PROCESSED BY IB	
Dec. 06, 2011	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Dec. 06, 2011	REFUSAL PROCESSED BY MPU	68359
Dec. 06, 2011	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Dec. 05, 2011	NON-FINAL ACTION WRITTEN	83169
Dec. 05, 2011	ASSIGNED TO EXAMINER	83169
Sep. 27, 2011	APPLICATION FILING RECEIPT MAILED	
Sep. 23, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 22, 2011	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

International Registration Number: 1089341  
International Registration Date: Aug. 11, 2011  
Priority Claimed Flag: Yes  
Date of Section 67 Priority Claim: Feb. 18, 2011  
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED  
Date of International Registration Status: Sep. 22, 2011  
Notification of Designation Date: Sep. 22, 2011  
Date of Automatic Protection: Mar. 22, 2013  
International Registration Renewal Date: Aug. 11, 2021  
First Refusal Flag: Yes

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 31, 2012

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Mark: DIGISTAT

# DIGISTAT

US Serial Number: 79050203  
US Registration Number: 3705400

Application Filing Date: Dec. 21, 2007

Registration Date: Nov. 03, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 03, 2009

Publication Date: Aug. 18, 2009

## Mark Information

Mark Literal Elements: DIGISTAT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 0954030

International Registration Date: Dec. 21, 2007

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of Incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Computer programs for clinical data management used alone or in connection with medical devices, lab equipment, hospital information systems, services and devices, including management of anamnesis data, diagnosis data, laboratory data, data from medical services, medication data and therapeutic and diagnostic prescriptions data, clinical notes data, and information related to the patient treatment and clinical status; computer programs for sending data and controlling medical devices

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 66(a)

For: Computerized medical and surgical instruments used in operating rooms and during surgical operations to control and drive anesthesia machines and infusion pumps; computerized medical and surgical instruments used for monitoring patients, for administering medication, as an infusion pump, for processing medical images from ultrasound, endoscopy, radiology, and cardiology images; smart infusion pumps

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 66(a)

## Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: Yes	Currently 66A: Yes	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: U M S S.R.L -

Owner Address: Via di Mucclana, 17 - Fraz. Cerbaia  
I-50020 SAN CASCIANO VAL DI PESA (FI)  
ITALY

Legal Entity Type: Société à responsabilité limitée

State or Country Where Organized: ITALY

### Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Cecelia M. Perry  
McGlew and Tuttle, P.C.  
Scarborough Station  
Scarborough, NEW YORK 10510-9227  
UNITED STATES

Phone: 914-941-5600

Fax: 914-941-5855

Correspondent e-mail: [cperry@mcglewtuttle.com](mailto:cperry@mcglewtuttle.com)

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 21, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Feb. 26, 2010	FINAL DISPOSITION NOTICE SENT TO IB	
Feb. 26, 2010	FINAL DISPOSITION PROCESSED	72589
Feb. 03, 2010	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 03, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2009	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Aug. 20, 2009	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Aug. 20, 2009	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Aug. 18, 2009	PUBLISHED FOR OPPOSITION	
Jul. 29, 2009	NOTICE OF PUBLICATION	
Jul. 15, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Jul. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 30, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 29, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 29, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 03, 2009	NON-FINAL ACTION MAILED	
Feb. 02, 2009	NON-FINAL ACTION WRITTEN	75593
Jan. 27, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Nov. 10, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Oct. 29, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Oct. 24, 2008	ASSIGNED TO LIE	71441
Oct. 15, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 30, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 30, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 30, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 19, 2008	REFUSAL PROCESSED BY IB	
Mar. 31, 2008	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Mar. 31, 2008	REFUSAL PROCESSED BY MPU	68359
Mar. 29, 2008	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Mar. 28, 2008	NON-FINAL ACTION WRITTEN	75593
Mar. 27, 2008	ASSIGNED TO EXAMINER	75593
Mar. 21, 2008	NEW APPLICATION ENTERED IN TRAM	
Mar. 20, 2008	SN ASSIGNED FOR SECT 66A APPL FROM IB	

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### International Registration Information (Section 66a)

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International Registration Number: 0954030

International Registration Date: Dec. 21, 2007

Priority Claimed Flag: Yes

Date of Section 67 Priority Claim: Jul. 06, 2007

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Date of International Registration Status: Mar. 20, 2008

Notification of Designation Date: Mar. 20, 2008

Date of Automatic Protection: Sep. 20, 2009

International Registration Renewal Date: Dec. 21, 2017

First Refusal Flag: Yes

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### TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 03, 2009

Generated on: This page was generated by TSDR on 2014-07-22 16:52:58 EDT

Mark: LINGUASTAT

Linguastat

US Serial Number: 78787941                      Application Filing Date: Jan. 09, 2006  
US Registration Number: 3336739                      Registration Date: Nov. 13, 2007  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: May 07, 2014  
Publication Date: Sep. 12, 2006                      Notice of Allowance Date: Dec. 05, 2006

### Mark Information

Mark Literal Elements: LINGUASTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: computer software that provides solutions for organizing, structuring, managing and searching information and data; computer software for extraction and retrieval of information and data mining; computer software for transforming data and information into alternative representations and presentation formats for dissemination on global computer and information networks

International Class(es): 009 - Primary Class                      U.S Class(es): 021, 023, 026, 036, 038  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Jul. 11, 2007                      Use in Commerce: Jul. 11, 2007

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: Linguastat, Inc.  
Owner Address: 330 Townsend Street, Suite 108  
San Francisco, CALIFORNIA 94107  
UNITED STATES  
Legal Entity Type: CORPORATION                      State or Country Where Organized: CALIFORNIA

### Attorney/Correspondence Information

Attorney Name: Christopher J. Palermo                      Docket Number: 60223-0017  
Attorney Primary Email Address: [trademarks@hptb-law.com](mailto:trademarks@hptb-law.com)                      Attorney Email Authorized: Yes  
Correspondent  
Correspondent CHRISTOPHER J. PALERMO

Name/Address: HICKMAN PALERMO TRUONG BECKER BINGHAM WO  
1 ALMADEN BOULEVARD  
FLOOR 12  
SAN JOSE, CALIFORNIA 95113  
UNITED STATES

Phone: 408-414-1080

Fax: 408-414-1076

Correspondent e-mail: [trademarks@hptb-law.com](mailto:trademarks@hptb-law.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 07, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 07, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Apr. 21, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
May 07, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Apr. 21, 2014	TEAS SECTION 8 & 15 RECEIVED	
Nov. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	71441
Oct. 05, 2007	ASSIGNED TO LIE	71441
Sep. 07, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 05, 2007	STATEMENT OF USE PROCESSING COMPLETE	70629
Aug. 16, 2007	USE AMENDMENT FILED	70629
Aug. 16, 2007	TEAS STATEMENT OF USE RECEIVED	
Aug. 08, 2007	EXTENSION 1 GRANTED	76874
Jun. 05, 2007	EXTENSION 1 FILED	76874
Jul. 18, 2007	EXTENSION RECEIVED WITH TEAS PETITION	
Jul. 18, 2007	PETITION TO REVIVE-GRANTED	88889
Jul. 18, 2007	TEAS PETITION TO REVIVE RECEIVED	
Dec. 05, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 12, 2006	PUBLISHED FOR OPPOSITION	
Aug. 23, 2006	NOTICE OF PUBLICATION	
Jul. 19, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jul. 07, 2006	ASSIGNED TO LIE	70997
Jun. 28, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 27, 2006	ASSIGNED TO EXAMINER	74662
Jan. 12, 2006	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: TMO LAW OFFICE 111

Date in Location: May 07, 2014

Generated on: This page was generated by TSDR on 2014-07-22 16:53:21 EDT

Mark: RIGSTAT

RigStat

US Serial Number: 78924218                      Application Filing Date: Jul. 07, 2006  
US Registration Number: 3294048                      Registration Date: Sep. 18, 2007  
Register: Principal  
Mark Type: Trademark, Service Mark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Jun. 06, 2013  
Publication Date: Jul. 03, 2007

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### Mark Information

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Mark Literal Elements: RIGSTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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### Related Properties Information

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International Registration Number: 0909351  
International Application(s) /Registration(s) Based on this Property: A0006556/0909351

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### Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Oil drilling rig and platform monitoring systems, comprised of bi-axial tilt sensors, GPS receivers, wind speed and angle indicators, weather thermometers, barometric pressure indicators, humidity indicators, dew point indicators, anchor tension indicators, wave height indicators, security cameras, data processors, computer software for operation of the monitoring system and data archival, satellite transceivers for communications, and uninterruptible power supply batteries.

International Class(es): 009 - Primary Class                      U.S Class(es): 021, 023, 026, 036, 038  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Jun. 01, 2006                      Use In Commerce: Jun. 01, 2006

For: Gathering, analyzing and formatting data to track, locate, monitor and log operations in the oil industry  
International Class(es): 042 - Primary Class                      U.S Class(es): 100, 101  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Jun. 01, 2006                      Use In Commerce: Jun. 01, 2006

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### Basis Information (Case Level)

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Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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### Current Owner(s) Information

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Owner Name: RIGSTAT, L.P.  
Composed of: RUSS ROY, GENERAL PARTNER GAIL ROY, SECRETARY  
Owner Address: 131 BROOKS STREET, SUITE 400  
SUGAR LAND, TEXAS 77478  
UNITED STATES

Legal Entity Type: LIMITED PARTNERSHIP State or Country Where Organized: TEXAS

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: WILLIAM B PATTERSON Docket Number: SNIT/T0003  
Attorney Primary Email Address: [psdocketing@pattersonsheridan.com](mailto:psdocketing@pattersonsheridan.com) Attorney Email Authorized: Yes

#### Correspondent

Correspondent Name/Address: WILLIAM B PATTERSON  
PATTERSON & SHERIDAN LLP  
3040 POST OAK BLVD STE 1500  
HOUSTON, TEXAS 77056-6582  
UNITED STATES  
Phone: 713-623-4844 Fax: 713-623-4846  
Correspondent e-mail: [psdocketing@pattersonsheridan.com](mailto:psdocketing@pattersonsheridan.com) Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jun. 06, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 06, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Jun. 06, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
May 17, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jul. 18, 2008	NEW CERTIFICATE ISSUED, SEC. 7D	
Jul. 09, 2008	ASSIGNED TO PARALEGAL	59807
Jun. 18, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 12, 2008	TEAS SECTION 7 REQUEST RECEIVED	
Sep. 18, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 03, 2007	PUBLISHED FOR OPPOSITION	
Jun. 13, 2007	NOTICE OF PUBLICATION	
May 31, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
May 31, 2007	ASSIGNED TO LIE	78145
May 12, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 30, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 30, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 08, 2006	NON-FINAL ACTION MAILED	
Dec. 07, 2006	NON-FINAL ACTION WRITTEN	72508
Dec. 07, 2006	ASSIGNED TO EXAMINER	72508
Jul. 13, 2006	NOTICE OF PSEUDO MARK MAILED	
Jul. 12, 2006	NEW APPLICATION ENTERED IN TRAM	

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Amendment to a Issue New Certificate to: RIGSTAT, L.P. (TEXAS LIMITED PARTNERSHIP); 131 BROOKS STREET, SUITE 400; SUGAR LAND, TX

Registration/Renewal 77478  
Certificate:

### TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: TMO LAW OFFICE 115

Date In Location: Jun. 06, 2013

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 1

Registrant: i-Infocom, LP

#### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: 3794/0699

Pages: 6

Date Recorded: Jun. 12, 2008

Supporting Documents: [assignment-tm-3794-0699.pdf](#)

#### Assignor

Name: I-INFOCOM, L.P.

Execution Date: Nov. 30, 2006

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: TEXAS

#### Assignee

Name: RIGSTAT, L.P.

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: TEXAS

Address: 131 BROOKS STREET, SUITE 400  
SUGAR LAND, TEXAS 77478

#### Correspondent

Correspondent Name: WILLIAM B. PATTERSON

Correspondent Address: PATTERSON & SHERIDAN, LLP  
3040 POST OAK BLVD., SUITE 1500  
HOUSTON, TX 77056

Domestic Representative - Not Found



Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Barry J. Parker  
Attorney Primary Email: [trademarks@priplaw.com](mailto:trademarks@priplaw.com)  
Address:  
Docket Number: 22978.0003  
Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Barry J. Parker  
Parker Rightside IP Law  
80 N. Cabrillo Hwy., Suite Q, #505  
Half Moon Bay, CALIFORNIA 94019  
UNITED STATES  
Phone: (650) 560-8443  
Correspondent e-mail: [trademarks@priplaw.com](mailto:trademarks@priplaw.com)  
Fax: (281) 348-3117  
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 16, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 16, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Apr. 13, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Mar. 28, 2013	TEAS SECTION 8 & 15 RECEIVED	
Dec. 04, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 18, 2007	PUBLISHED FOR OPPOSITION	
Aug. 29, 2007	NOTICE OF PUBLICATION	
Aug. 16, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Aug. 13, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2007	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 06, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 06, 2007	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 06, 2007	EXAMINERS AMENDMENT -WRITTEN	76840
Jun. 08, 2007	NON-FINAL ACTION E-MAILED	6325
Jun. 08, 2007	NON-FINAL ACTION WRITTEN	76840
Jun. 08, 2007	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 02, 2007	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Apr. 24, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Apr. 19, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 28, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Mar. 28, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Mar. 27, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 22, 2007	INQUIRY TO SUSPENSION E-MAILED	
Mar. 22, 2007	SUSPENSION INQUIRY WRITTEN	76840
Jan. 29, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	70997
Jan. 29, 2007	ASSIGNED TO LIE	70997
Jul. 14, 2006	LETTER OF SUSPENSION E-MAILED	6332
Jul. 14, 2006	SUSPENSION LETTER WRITTEN	76840
May 03, 2006	NON-FINAL ACTION E-MAILED	6325
May 03, 2006	NON-FINAL ACTION WRITTEN	76840
Apr. 11, 2006	LIE CHECKED SUSP - TO ATTY FOR ACTION	70629
Sep. 06, 2005	LETTER OF SUSPENSION E-MAILED	6332

Sep. 06, 2005	SUSPENSION LETTER WRITTEN	76840
Aug. 16, 2005	EXAMINER'S AMENDMENT ENTERED	70997
Aug. 15, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 15, 2005	EXAMINERS AMENDMENT -WRITTEN	76840
Aug. 15, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 15, 2005	EXAMINERS AMENDMENT -WRITTEN	76840
Mar. 23, 2005	NON-FINAL ACTION E-MAILED	6325
Mar. 23, 2005	NON-FINAL ACTION WRITTEN	76840
Mar. 03, 2005	AMENDMENT FROM APPLICANT ENTERED	78289
Jan. 24, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	78289
Jan. 24, 2005	PAPER RECEIVED	
Oct. 15, 2004	NON-FINAL ACTION E-MAILED	6325
Oct. 15, 2004	NON-FINAL ACTION WRITTEN	76840
Oct. 15, 2004	ASSIGNED TO EXAMINER	76840
May 17, 2004	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	
May 17, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 17, 2004	TEAS VOLUNTARY AMENDMENT RECEIVED	
Apr. 06, 2004	NEW APPLICATION ENTERED IN TRAM	

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### Maintenance Filings or Post Registration Information

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Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

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### TM Staff and Location Information

---

TM Staff Information - None  
File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Apr. 16, 2013



Correspondent LINDA R DRILLOCK  
Name/Address: DRILLOCK LAW FIRM  
3030 MAIN ST  
MARLETTE, MICHIGAN 48453  
UNITED STATES

Phone: 989-635-7571

Fax: 989-635-2218

Correspondent e-mail: [BrettD@centurytel.net](mailto:BrettD@centurytel.net)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Feb. 12, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	70132
Feb. 12, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Feb. 11, 2011	TEAS SECTION 8 RECEIVED	
Apr. 19, 2005	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	76537
Dec. 10, 2004	ASSIGNED TO LIE	76537
Dec. 09, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 02, 2004	STATEMENT OF USE PROCESSING COMPLETE	65724
Oct. 19, 2004	USE AMENDMENT FILED	65724
Oct. 19, 2004	TEAS STATEMENT OF USE RECEIVED	
Aug. 31, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 08, 2004	PUBLISHED FOR OPPOSITION	
May 19, 2004	NOTICE OF PUBLICATION	
Apr. 13, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 08, 2004	ASSIGNED TO EXAMINER	75571

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

### TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Feb. 12, 2011



Attorney Name: Owen Prell  
Attorney Primary Email Address: [oprell@artlawgroup.com](mailto:oprell@artlawgroup.com)

Docket Number: NCNG-47/Cogn  
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: OWEN PRELL  
THE ART LAW GROUP  
38 MILLER AVE STE 121  
MILL VALLEY, CALIFORNIA 94941-1939  
UNITED STATES

Phone: 415-380-9268

Correspondent e-mail: [oprell@artlawgroup.com](mailto:oprell@artlawgroup.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 24, 2012	PUBLISHED FOR OPPOSITION	
Apr. 04, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 21, 2012	DATA MODIFICATION COMPLETED	73787
Feb. 17, 2012	ATTORNEY REVIEW COMPLETED	71994
Jan. 27, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 26, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 26, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 26, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 26, 2011	NON-FINAL ACTION E-MAILED	
Jul. 26, 2011	SU - NON-FINAL ACTION - WRITTEN	71994
Jul. 05, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 04, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 04, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 03, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jan. 03, 2011	NON-FINAL ACTION E-MAILED	
Jan. 03, 2011	SU - NON-FINAL ACTION - WRITTEN	71994
Dec. 10, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Dec. 02, 2010	USE AMENDMENT FILED	76874
Dec. 02, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 03, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 02, 2010	EXTENSION 2 GRANTED	76874
Oct. 06, 2010	EXTENSION 2 FILED	76874
Nov. 15, 2010	EXTENSION RECEIVED WITH TEAS PETITION	
Nov. 15, 2010	PETITION TO REVIVE-GRANTED	88889
Nov. 15, 2010	TEAS PETITION TO REVIVE RECEIVED	
Nov. 08, 2010	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Nov. 08, 2010	ABANDONMENT - NO USE STATEMENT FILED	99999
Apr. 24, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 23, 2010	EXTENSION 1 GRANTED	76874
Mar. 31, 2010	EXTENSION 1 FILED	76874
Apr. 22, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Mar. 31, 2010	TEAS EXTENSION RECEIVED	
Oct. 06, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 14, 2009	PUBLISHED FOR OPPOSITION	

Jun. 24, 2009	NOTICE OF PUBLICATION	
Jun. 07, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Jun. 07, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 15, 2009	ASSIGNED TO EXAMINER	71994
May 08, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	73787
May 08, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	73787
May 08, 2009	ASSIGNED TO LIE	73787
May 07, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 21, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 21, 2009	NON-FINAL ACTION E-MAILED	6325
Jan. 21, 2009	NON-FINAL ACTION WRITTEN	82106
Jan. 12, 2009	ASSIGNED TO EXAMINER	82106
Oct. 15, 2008	NOTICE OF PSEUDO MARK MAILED	
Oct. 14, 2008	NEW APPLICATION ENTERED IN TRAM	

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### TM Staff and Location Information

---

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 10, 2012



Attorney of Record - None  
Correspondent

Correspondent: RADIOSTAT, LLC  
Name/Address: RADIOSTAT, LLC  
9429 N 47TH ST  
PHOENIX, ARIZONA 85028-5203  
UNITED STATES

Phone: (602) 791-0133

Correspondent e-mail: [jgreene34@cox.net](mailto:jgreene34@cox.net)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 11, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 08, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 07, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Sep. 07, 2011	ASSIGNED TO LIE	66213
Aug. 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 05, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 04, 2011	STATEMENT OF USE PROCESSING COMPLETE	76873
Jul. 30, 2011	USE AMENDMENT FILED	76873
Aug. 04, 2011	EXTENSION 4 GRANTED	76873
Jul. 30, 2011	EXTENSION 4 FILED	76873
Jul. 30, 2011	TEAS EXTENSION RECEIVED	
Jul. 30, 2011	TEAS STATEMENT OF USE RECEIVED	
Feb. 10, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 09, 2011	EXTENSION 3 GRANTED	76873
Feb. 04, 2011	EXTENSION 3 FILED	76873
Feb. 04, 2011	TEAS EXTENSION RECEIVED	
Oct. 08, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 07, 2010	EXTENSION 2 GRANTED	76873
Aug. 18, 2010	EXTENSION 2 FILED	76873
Oct. 04, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Sep. 10, 2010	EXTENSION RECEIVED WITH TEAS PETITION	
Sep. 10, 2010	PETITION TO REVIVE-GRANTED	88889
Sep. 10, 2010	TEAS PETITION TO REVIVE RECEIVED	
Feb. 04, 2010	EXTENSION 1 GRANTED	98765
Feb. 04, 2010	EXTENSION 1 FILED	98765
Feb. 04, 2010	TEAS EXTENSION RECEIVED	
Aug. 18, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 26, 2009	PUBLISHED FOR OPPOSITION	
May 06, 2009	NOTICE OF PUBLICATION	
Apr. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Apr. 22, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 23, 2009	AMENDMENT FROM APPLICANT ENTERED	78145
Mar. 23, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Mar. 23, 2009	ASSIGNED TO LIE	78145
Mar. 19, 2009	PAPER RECEIVED	
Feb. 18, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2009	NON-FINAL ACTION E-MAILED	6325

Feb. 18, 2009	NON-FINAL ACTION WRITTEN	82094
Jan. 14, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jan. 14, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jan. 14, 2009	ASSIGNED TO LIE	68171
Jan. 06, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 06, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 06, 2009	NON-FINAL ACTION E-MAILED	6325
Jan. 06, 2009	NON-FINAL ACTION WRITTEN	82094
Dec. 29, 2008	ASSIGNED TO EXAMINER	82094
Oct. 04, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Oct. 03, 2008	NEW APPLICATION ENTERED IN TRAM	

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### TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date In Location: Sep. 07, 2011



Name/Address: BANNER & WITCOFF LTD  
10 S WACKER DR STE 3000  
CHICAGO, ILLINOIS 60606-7437  
UNITED STATES

Correspondent e-mail: [BWPTOTM@bannerwitcoff.com](mailto:BWPTOTM@bannerwitcoff.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Mar. 08, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 04, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 03, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Jan. 31, 2011	ASSIGNED TO LIE	77312
Jan. 28, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 19, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Dec. 21, 2010	USE AMENDMENT FILED	76874
Jan. 19, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Dec. 21, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 07, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 28, 2010	TTAB RELEASE CASE TO TRADEMARKS	192924
Oct. 28, 2010	OPPOSITION TERMINATED NO. 999999	192924
Oct. 28, 2010	OPPOSITION DISMISSED NO. 999999	192924
Dec. 07, 2009	OPPOSITION INSTITUTED NO. 999999	192924
Sep. 30, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 01, 2009	PUBLISHED FOR OPPOSITION	
Aug. 12, 2009	NOTICE OF PUBLICATION	
Jul. 24, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Jul. 24, 2009	ASSIGNED TO LIE	76539
Jul. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 07, 2009	ASSIGNED TO EXAMINER	75425
May 02, 2009	NOTICE OF PSEUDO MARK MAILED	
May 01, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 01, 2009	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 03, 2011

## Proceedings

### Summary

Number of Proceedings: 2

### Type of Proceeding: Opposition

Proceeding Number: 91192924

Filing Date: Dec 07, 2009

Status: Terminated

Status Date: Oct 28, 2010

Interlocutory Attorney: LINDA M SKORO

### Defendant

Name: Global Wireless Solutions, Inc.

Correspondent Address: HELEN HILL MINSKER  
BANNER & WITCOFF LTD  
10 S WACKER DR STE 3000  
CHICAGO IL , 60606-7437  
UNITED STATES

Correspondent e-mail: [hminsker@bannerwitcoff.com](mailto:hminsker@bannerwitcoff.com), [sward@bannerwitcoff.com](mailto:sward@bannerwitcoff.com), [bwiltdocket@bannerwitcoff.com](mailto:bwiltdocket@bannerwitcoff.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
MOBISTAT	Registered	<u>77724027</u>	<u>3929158</u>

**Plaintiff(s)**

Name: Telefonica, S.A.

Correspondent Address: PERLA M KUHN  
HUGHES HUBBARD & REED LLP  
ONE BATTERY PARK PLAZA  
NEW YORK NY, 10004  
UNITED STATES

Correspondent e-mail: [kuhn@hugheshubbard.com](mailto:kuhn@hugheshubbard.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
MOVISTAR	Cancelled - Section 8	<u>76384616</u>	<u>2790337</u>
MOVISTAR	Cancelled - Section 8	<u>78106748</u>	<u>2930460</u>
TELEFONICA MOVISTAR	Cancelled - Section 8	<u>76384617</u>	<u>3122289</u>
TELEFONICA MOVISTAR	Cancelled - Section 8	<u>76384853</u>	<u>3122290</u>
TELEFONICA MOVISTAR	Cancelled - Section 8	<u>76384854</u>	<u>3122291</u>
TELEFONICA MOVISTAR	709	<u>79017975</u>	<u>3283182</u>
MUNDO MOVISTAR	Registered	<u>78919128</u>	<u>3485004</u>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 07, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 07, 2009	Jan 16, 2010
3	PENDING, INSTITUTED	Dec 07, 2009	
4	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Dec 09, 2009	
5	RESPONSE DUE 30 DAYS (DUE DATE)	Dec 12, 2009	Jan 11, 2010
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 06, 2010	
7	EXTENSION OF TIME GRANTED	Jan 06, 2010	
8	STIPULATION FOR AN EXTENSION OF TIME	Mar 03, 2010	
9	EXTENSION OF TIME GRANTED	Mar 03, 2010	
10	ANSWER	May 11, 2010	
11	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jun 28, 2010	
12	SUSPENDED	Jun 28, 2010	
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 16, 2010	
14	SUSPENDED	Sep 16, 2010	
15	MOTION TO AMEND APPLICATION	Sep 30, 2010	
16	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 15, 2010	Nov 14, 2010
17	WITHDRAWAL OF OPPOSITION	Oct 20, 2010	
18	BD'S DECISION: DISMISSED W/O PREJUDICE	Oct 28, 2010	
19	TERMINATED	Oct 28, 2010	

**Type of Proceeding: Extension of Time**

Proceeding Number: 77724027

Filing Date: Sep 30, 2009

Status: Terminated

Status Date: Dec 30, 2009

Interlocutory Attorney:

**Defendant**

Name: Global Wireless Solutions, Inc.

Correspondent Address: HELEN HILL MINSKER  
BANNER & WITCOFF, LTD.  
10 S WACKER DR STE 3000  
CHICAGO IL, 60606-7437

UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
MOBISTAT	Registered	<u>77724027</u>	<u>3929158</u>

Potential Opposer(s)

Name: Mobipay International, S.A.

Correspondent Address: Perla M. Kuhn  
Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York NY , 10004  
UNITED STATES

Correspondent e-mail: [kuhn@hugheshubbard.com](mailto:kuhn@hugheshubbard.com)

Name: Telefonica, S.A.

Correspondent Address: Perla M. Kuhn  
Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York NY , 10004  
UNITED STATES

Correspondent e-mail: [kuhn@hugheshubbard.com](mailto:kuhn@hugheshubbard.com)

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Sep 30, 2009	
2	EXTENSION OF TIME GRANTED	Sep 30, 2009	
3	INCOMING - EXT TIME TO OPPOSE FILED	Oct 01, 2009	
4	EXTENSION OF TIME GRANTED	Oct 01, 2009	



Attorney Name: Sean Merrill  
Attorney Primary Email Address: [trademark@corporate.ge.com](mailto:trademark@corporate.ge.com)

Attorney Email No Authorized:

Correspondent

Correspondent Name/Address: SEAN MERRILL  
GENERAL ELECTRIC COMPANY  
3135 EASTON TPKE  
FAIRFIELD, CONNECTICUT 06828-0001  
UNITED STATES

Phone: 203-373-3328

Fax: 203-373-2181

Correspondent e-mail: [trademark@corporate.ge.com](mailto:trademark@corporate.ge.com)

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Nov. 17, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 01, 2009	PUBLISHED FOR OPPOSITION	
Aug. 12, 2009	NOTICE OF PUBLICATION	
Jul. 30, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 28, 2009	APPROVED FOR PUB.- PRINCIPAL REGISTER	
Jul. 20, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jul. 20, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Jul. 16, 2009	ASSIGNED TO LIE	66213
Jul. 01, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 22, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 22, 2009	NON-FINAL ACTION E-MAILED	6325
Jan. 22, 2009	NON-FINAL ACTION WRITTEN	74672
Jan. 16, 2009	ASSIGNED TO EXAMINER	74672
Oct. 21, 2008	NOTICE OF PSEUDO MARK MAILED	
Oct. 20, 2008	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 17, 2009



PO BOX 2910  
MINNEAPOLIS, MINNESOTA 55402-0910  
UNITED STATES

Phone: 612-332-5300

Fax: 612-332-9081

Correspondent e-mail: [dockmpls@merchantgould.com](mailto:dockmpls@merchantgould.com)

Correspondent e-mail No  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 22, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Mar. 19, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 15, 2010	STATEMENT OF USE PROCESSING COMPLETE	61813
Feb. 12, 2010	USE AMENDMENT FILED	61813
Mar. 15, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Feb. 12, 2010	TEAS STATEMENT OF USE RECEIVED	
Sep. 08, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 16, 2009	PUBLISHED FOR OPPOSITION	
May 27, 2009	NOTICE OF PUBLICATION	
May 13, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
May 13, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 29, 2009	AMENDMENT FROM APPLICANT ENTERED	66213
Apr. 29, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Apr. 27, 2009	ASSIGNED TO LIE	66213
Apr. 24, 2009	PAPER RECEIVED	
Oct. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 21, 2008	NON-FINAL ACTION E-MAILED	6325
Oct. 21, 2008	NON-FINAL ACTION WRITTEN	66508
Oct. 14, 2008	ASSIGNED TO EXAMINER	66508
Jul. 11, 2008	NOTICE OF PSEUDO MARK MAILED	
Jul. 10, 2008	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 22, 2010

Generated on: This page was generated by TSDR on 2014-07-22 16:59:34 EDT

Mark: TREADSTAT

TREADSTAT

US Serial Number: 77038248                      Application Filing Date: Nov. 07, 2006  
US Registration Number: 3232311                      Registration Date: Apr. 24, 2007  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: May 09, 2012  
Publication Date: Feb. 06, 2007

### Mark Information

Mark Literal Elements: TREADSTAT  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: computer software for monitoring vehicle tire and rim usage and performance

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2001

Use in Commerce: Jun. 30, 2001

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: BRIDGESTONE BRANDS, LLC  
Owner Address: 535 MARRIOTT DRIVE  
NASHVILLE, TENNESSEE 37214  
UNITED STATES  
Legal Entity Type: LIMITED LIABILITY COMPANY                      State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Thomas R. Kingsbury  
Attorney Primary Email Address: [tplaw@bfusa.com](mailto:tplaw@bfusa.com)                      Attorney Email Authorized: Yes

#### Correspondent

Correspondent Name/Address: Thomas R. Kingsbury  
BRIDGESTONE AMERICAS HOLDING, INC.  
10 East Firestone Blvd.

AKRON, OHIO 44317-0001  
UNITED STATES

Phone: 1-330-379-6178

Fax: 1-330-379-4064

Correspondent e-mail: [lpaw@bfusa.com](mailto:lpaw@bfusa.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 09, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
May 09, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
May 02, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 25, 2012	TEAS SECTION 8 & 15 RECEIVED	
Apr. 24, 2007	REGISTERED-PRINCIPAL REGISTER	
Feb. 06, 2007	PUBLISHED FOR OPPOSITION	
Jan. 17, 2007	NOTICE OF PUBLICATION	
Dec. 26, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Dec. 26, 2006	ASSIGNED TO LIE	78289
Dec. 08, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 08, 2006	ASSIGNED TO EXAMINER	80803
Nov. 14, 2006	NOTICE OF PSEUDO MARK MAILED	
Nov. 13, 2006	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: May 09, 2012

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: BFS Brands, LLC

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: 4764/0463

Pages: 5

Date Recorded: Apr. 25, 2012

Supporting Documents: [assignment-tm-4764-0463.pdf](#)

### Assignor

Name: [BFS BRANDS, LLC](#)

Execution Date: Dec. 18, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

### Assignee

Name: [BRIDGESTONE BRANDS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 535 MARRIOTT DRIVE  
NASHVILLE, TENNESSEE 37214

### Correspondent

Correspondent Name: THOMAS R. KINGSBURY

Correspondent Address: 10 EAST FIRESTONE BLVD.  
AKRON, OH 44317

Domestic Representative - Not Found



## Current Owner(s) Information

Owner Name: InjuryFree, Inc.  
Owner Address: 8751 NE 144th Court  
Bothell, WASHINGTON 98011  
UNITED STATES  
Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: David A. Lowe Docket Number: IFRE-2-1004  
Attorney Primary Email Address: [Lowe@LoweGrahamJones.com](mailto:Lowe@LoweGrahamJones.com) Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: David A. Lowe  
Lowe Graham Jones  
701 Fifth Avenue  
Suite 4800  
Seattle, WASHINGTON 98104  
UNITED STATES  
Phone: 2063813300 Fax: 2063813301  
Correspondent e-mail: [Lowe@LoweGrahamJones.com](mailto:Lowe@LoweGrahamJones.com) Correspondent e-mail Authorized: Yes

### Domestic Representative

Domestic Representative Name: David A. Lowe Phone: 2063813300  
Fax: 2063813301  
Domestic Representative e-mail: [Lowe@LoweGrahamJones.com](mailto:Lowe@LoweGrahamJones.com) Domestic Representative e-mail Authorized: Yes

## Prosecution History

Date	Description	Proceeding Number
Aug. 12, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 12, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 29, 2008	REGISTERED-PRINCIPAL REGISTER	
Nov. 13, 2007	PUBLISHED FOR OPPOSITION	
Oct. 24, 2007	NOTICE OF PUBLICATION	
Oct. 09, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	77978
Oct. 09, 2007	ASSIGNED TO LIE	77978
Sep. 10, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 08, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 07, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 07, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 07, 2007	NON-FINAL ACTION E-MAILED	6325
Feb. 07, 2007	NON-FINAL ACTION WRITTEN	78324
Feb. 06, 2007	ASSIGNED TO EXAMINER	78324
Sep. 21, 2006	NOTICE OF PSEUDO MARK MAILED	
Sep. 20, 2006	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 29, 2008

Generated on: This page was generated by TSDR on 2014-07-22 17:04:03 EDT

Mark: MOBILESTATS

MobileStats

US Serial Number: 77144346  
US Registration Number: 3421623  
Register: Principal  
Mark Type: Service Mark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: May 10, 2014  
Publication Date: Feb. 19, 2008

Application Filing Date: Mar. 29, 2007

Registration Date: May 06, 2008

### Mark Information

Mark Literal Elements: MOBILESTATS  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: Computer reporting services and web-based online computer reporting services, namely, compiling, reporting and displaying individual subscriber data and aggregate subscriber data related to usage of mobile and telecommunications networks, and providing reports of aforementioned data in printed and in electronic form

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 08, 2006

Use In Commerce: Sep. 08, 2006

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: OnePIN, Inc.  
Owner Address: 2200 West Park Drive  
Westborough, MASSACHUSETTS 01581  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record  
Attorney Name: Heather Balmat  
Docket Number: 00322  
Attorney Primary Email Address: [hbalmat@balmatlaw.com](mailto:hbalmat@balmatlaw.com)  
Attorney Email Authorized: Yes  
Correspondent  
Correspondent: Heather Balmat

Name/Address: Balmat Law, PLLC  
977 Seminole Tr., #342  
Charlottesville, VIRGINIA 22901  
UNITED STATES

Phone: (434) 260-1837

Fax: (434) 473-6738

Correspondent e-mail: [hbalmat@balmatlaw.com](mailto:hbalmat@balmatlaw.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 10, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 10, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Apr. 23, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	69471
May 10, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Apr. 23, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jun. 01, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 01, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 06, 2008	REGISTERED-PRINCIPAL REGISTER	
Feb. 19, 2008	PUBLISHED FOR OPPOSITION	
Jan. 30, 2008	NOTICE OF PUBLICATION	
Jan. 11, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Dec. 10, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Dec. 06, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Nov. 30, 2007	ASSIGNED TO LIE	70629
Oct. 23, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 11, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 11, 2007	NON-FINAL ACTION E-MAILED	6325
Jul. 11, 2007	NON-FINAL ACTION WRITTEN	68625
Jul. 11, 2007	ASSIGNED TO EXAMINER	68625
Apr. 04, 2007	NOTICE OF PSEUDO MARK MAILED	
Apr. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: May 10, 2014



**Attorney of Record**

Attorney Name: Joseph V. Myers III  
 Attorney Primary Email Address: [tmatlanta@seyfarth.com](mailto:tmatlanta@seyfarth.com)  
 Attorney Email Authorized: No

**Correspondent**

Correspondent Name/Address: JOSEPH V. MYERS III  
 SEYFARTH SHAW LLP  
 ONE PEACHTREE POINTE  
 1545 PEACHTREE STREET, NE, SUITE 700  
 ATLANTA, GEORGIA 30309-2401  
 UNITED STATES  
 Phone: 404-885-1500 Fax: 404-892-7056  
 Correspondent e-mail: [tmatlanta@seyfarth.com](mailto:tmatlanta@seyfarth.com)  
 Correspondent e-mail Authorized: No

**Domestic Representative**

Domestic Representative Name: Joseph V. Myers III Phone: 404-885-1500  
 Fax: 404-892-7056  
 Domestic Representative e-mail: [tmatlanta@seyfarth.com](mailto:tmatlanta@seyfarth.com)  
 Domestic Representative e-mail Authorized: Yes

**Prosecution History**

Date	Description	Proceeding Number
Feb. 10, 2009	REGISTERED-PRINCIPAL REGISTER	
Nov. 25, 2008	PUBLISHED FOR OPPOSITION	
Nov. 05, 2008	NOTICE OF PUBLICATION	
Oct. 22, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Oct. 21, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 02, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Oct. 02, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Oct. 02, 2008	ASSIGNED TO LIE	70629
Sep. 22, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 06, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 06, 2008	NON-FINAL ACTION E-MAILED	6325
Aug. 06, 2008	NON-FINAL ACTION WRITTEN	76734
Aug. 06, 2008	ASSIGNED TO EXAMINER	76734
Apr. 29, 2008	NOTICE OF PSEUDO MARK MAILED	
Apr. 28, 2008	NEW APPLICATION ENTERED IN TRAM	

**TM Staff and Location Information**

TM Staff Information - None  
 File Location

Current Location: PUBLICATION AND ISSUE SECTION Date In Location: Feb. 10, 2009

**Assignment Abstract Of Title Information****Summary**

Total Assignments: 2 Registrant: SYSTÈMES GEOSTAT INTERNATIONAL INC.

**Assignment 1 of 2**

Conveyance: CHANGE OF NAME  
 Reel/Frame: [4460/0450](#) Pages: 5  
 Date Recorded: Jan. 25, 2011

Supporting Documents: [assignment-tm-4460-0450.pdf](#)

**Assignor**

Name: [SYSTEMES GEOSTAT INTERNATIONAL INC.](#) Execution Date: Jul. 25, 2008  
 Legal Entity Type: CORPORATION State or Country Where Organized: CANADA

**Assignee**

Name: SGS GEOSTAT LTD.  
Legal Entity Type: CORPORATION  
State or Country Where Organized: CANADA  
Address: 10 DE LA SEIGNEURIE BLVD. EAST  
SUITE 203  
BLAINVILLE, CANADA J7C3V5

**Correspondent**

Correspondent Name: LESLIE ARNOLD  
Correspondent Address: P.O. BOX 1022  
FISH & RICHARDSON P.C.  
MINNEAPOLIS, MN 55440-1022

**Domestic Representative**

Domestic Representative Name: FISH & RICHARDSON P.C.  
Domestic Representative Address: P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022

**Assignment 2 of 2**

Conveyance: ARTICLES OF AMALGAMATION  
Reel/Frame: 4460/0482 Pages: 22  
Date Recorded: Jan. 25, 2011  
Supporting Documents: assignment-tm-4460-0482.pdf

**Assignor**

Name: SGS GEOSTAT LTD.  
Legal Entity Type: CORPORATION  
Execution Date: Dec. 31, 2009  
State or Country Where Organized: CANADA

**Assignee**

Name: SGS CANADA INC.  
Legal Entity Type: CORPORATION  
State or Country Where Organized: CANADA  
Address: 1600 130 KING STREET WEST  
TORONTO ONTARIO, CANADA M5X 1J5

**Correspondent**

Correspondent Name: LESLIE ARNOLD  
Correspondent Address: P.O. BOX 1022  
FISH & RICHARDSON P.C.  
MINNEAPOLIS, MN 55440-1022

**Domestic Representative**

Domestic Representative Name: FISH & RICHARDSON P.C.  
Domestic Representative Address: P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022



Phone: 612-332-5300

Fax: 612-332-9081

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Dec. 23, 2008	REGISTERED-PRINCIPAL REGISTER	
Nov. 18, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Nov. 17, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 17, 2008	STATEMENT OF USE PROCESSING COMPLETE	66530
Nov. 13, 2008	USE AMENDMENT FILED	66530
Nov. 17, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Nov. 13, 2008	TEAS STATEMENT OF USE RECEIVED	
May 13, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 19, 2008	PUBLISHED FOR OPPOSITION	
Jan. 30, 2008	NOTICE OF PUBLICATION	
Jan. 15, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Jan. 14, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	76243
Jan. 04, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	76243
Jan. 03, 2008	ASSIGNED TO LIE	76243
Nov. 19, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 24, 2007	NON-FINAL ACTION MAILED	
Sep. 24, 2007	NON-FINAL ACTION WRITTEN	76502
Sep. 20, 2007	ASSIGNED TO EXAMINER	76502
Jul. 18, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 18, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 22, 2007	NOTICE OF PSEUDO MARK MAILED	
Jun. 21, 2007	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 18, 2008

Generated on: This page was generated by TSDR on 2014-07-22 17:06:37 EDT

Mark: CLAIMSTAT

CLAIMSTAT

US Serial Number: 76469070      Application Filing Date: Nov. 21, 2002  
US Registration Number: 2892566      Registration Date: Oct. 12, 2004  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Oct. 28, 2010  
Publication Date: Jul. 20, 2004

### Mark Information

Mark Literal Elements: CLAIMSTAT  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

For: Downloadable medical management software for use by insurance providers, payors and members for claims adjudication and repricing, namely for managing claims, claims adjudication and repricing, for maintaining provider member services, for contract and benefit management and for managing provider billing services

International Class(es): 009 - Primary Class      U.S Class(es): 021, 023, 026, 036, 038  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: May 01, 1999      Use In Commerce: May 01, 1999

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: HEALTH CARE DATA MANAGEMENT, INC.  
Owner Address: 10851 N. BLACK CANYON HWY. SUITE 560  
PHOENIX, ARIZONA 85029  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where Organized: ARIZONA

### Attorney/Correspondence Information

Attorney of Record  
Attorney Name: Paul B. Heynssens      Docket Number: 75167-02  
Attorney Primary Email Address: pbh@pbhpatents.com      Attorney Email Authorized: Yes

Correspondent  
Correspondent Name/Address: Paul B. Heynssens  
PAUL B. HEYNSSSENS ATTORNEY AT LAW PLC

4340 E. INDIAN SCHOOL ROAD, SUITE 21-474  
PHOENIX, ARIZONA 85018  
UNITED STATES

Phone: 800.655.5807

Fax: 800.655.1804

Correspondent e-mail: [pbh@pbhpatents.com](mailto:pbh@pbhpatents.com)  
[stephanie@pbhpatents.com](mailto:stephanie@pbhpatents.com) [docket@blackhillsip.com](mailto:docket@blackhillsip.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 20, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 20, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 28, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Oct. 18, 2010	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76293
Oct. 28, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 18, 2010	PAPER RECEIVED	
Oct. 12, 2010	PAPER RECEIVED	
Oct. 12, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 20, 2004	PUBLISHED FOR OPPOSITION	
Jun. 30, 2004	NOTICE OF PUBLICATION	
May 13, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 17, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 17, 2003	FAX RECEIVED	
Nov. 17, 2003	FINAL REFUSAL E-MAILED	
Sep. 30, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 03, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 03, 2003	PAPER RECEIVED	
Apr. 09, 2003	NON-FINAL ACTION E-MAILED	
Apr. 02, 2003	ASSIGNED TO EXAMINER	76136
Mar. 17, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103

Date In Location: Oct. 28, 2010



15303 Dallas Parkway, Suite 700  
Addison, TEXAS 75001  
UNITED STATES

Phone: 972-701-7024

Fax: 972-701-7124

Correspondent e-mail: [jpatterson@hhdulaw.com](mailto:jpatterson@hhdulaw.com)

Correspondent e-mail Yes  
Authorized:

**Domestic Representative**

Domestic Representative Name: James S Patterson

Phone: 972-701-7024

Fax: 972-701-7124

Domestic Representative e-mail: [jpatterson@hhdulaw.com](mailto:jpatterson@hhdulaw.com)

Domestic Representative e-mail Authorized: Yes

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## Prosecution History

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Date	Description	Proceeding Number
Aug. 06, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 06, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 18, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Nov. 23, 2009	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
Mar. 17, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Nov. 23, 2009	PAPER RECEIVED	
Feb. 16, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 14, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 11, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 19, 2004	PAPER RECEIVED	
Jun. 01, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 31, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 31, 2004	ASSIGNED TO EXAMINER	76076
Mar. 23, 2004	CASE FILE IN TICRS	
Mar. 04, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Feb. 12, 2004	USE AMENDMENT FILED	
Feb. 12, 2004	TEAS STATEMENT OF USE RECEIVED	
Oct. 08, 2003	PAPER RECEIVED	
Aug. 25, 2003	EXTENSION 1 GRANTED	
Aug. 25, 2003	EXTENSION 1 FILED	
Aug. 28, 2003	PAPER RECEIVED	
Feb. 25, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 28, 2003	PAPER RECEIVED	
Aug. 15, 2002	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 09, 2002	PUBLISHED FOR OPPOSITION	
Jun. 19, 2002	NOTICE OF PUBLICATION	
Apr. 01, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 20, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 03, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 08, 2002	ASSIGNED TO EXAMINER	76076
Aug. 21, 2001	NON-FINAL ACTION MAILED	
Aug. 14, 2001	ASSIGNED TO EXAMINER	76076

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## Maintenance Filings or Post Registration Information

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Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Use: Section 15 - Accepted

Incontestability:

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## TM Staff and Location Information

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TM Staff Information - None  
File Location

Current Location: TMEG LAW OFFICE 103

Date in Location: Mar. 18, 2010

Generated on: This page was generated by TSDR on 2014-07-22 17:07:35 EDT

Mark: MEDSTAT

**MEDSTAT**

US Serial Number: 75902685      Application Filing Date: Jan. 24, 2000  
US Registration Number: 2417589      Registration Date: Jan. 02, 2001  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Jan. 05, 2010  
Publication Date: Oct. 10, 2000

### Mark Information

Mark Literal Elements: MEDSTAT  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

For: computer software, namely, CD-ROMs providing healthcare decision support

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 028, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1997

Use In Commerce: Jan. 1997

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: TRUVEN HEALTH ANALYTICS INC.  
Owner Address: 777 EAST EISENHOWER PARKWAY  
ANN ARBOR, MICHIGAN 48108  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alexandre A. Montagu  
Attorney Primary Email Address: [trademarks@montagulaw.com](mailto:trademarks@montagulaw.com)      Attorney Email Address: Yes  
Authorized:

Correspondent

Correspondent Name/Address: ALEXANDRE A. MONTAGU  
MONTAGULAW, P.C.

4TH FLOOR  
1120 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036  
UNITED STATES

Phone: 212-996-1287

Fax: 212-996-9579

Correspondent e-mail: [trademarks@montaqlaw.com](mailto:trademarks@montaqlaw.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Dec. 05, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 24, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 24, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 05, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Jan. 05, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 04, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 03, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 19, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 15, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Mar. 12, 2007	ASSIGNED TO PARALEGAL	69471
Jan. 30, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 30, 2007	TEAS SECTION 8 & 15 RECEIVED	
Jul. 20, 2006	CASE FILE IN TICRS	
Jan. 02, 2001	REGISTERED-PRINCIPAL REGISTER	
Oct. 10, 2000	PUBLISHED FOR OPPOSITION	
Sep. 08, 2000	NOTICE OF PUBLICATION	
Aug. 07, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 30, 2000	ASSIGNED TO EXAMINER	76151
Jun. 29, 2000	ASSIGNED TO EXAMINER	76833

## Maintenance Filings or Post Registration Information

Affidavit of Continued Section 8 - Accepted  
Use:

Affidavit of Section 15 - Accepted  
Incontestability:

Renewal Date: Jan. 02, 2011

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date In Location: Jan. 05, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 4

Registrant: MEDSTAT Group, inc., The

### Assignment 1 of 4

Conveyance: CHANGE OF NAME

Reel/Frame: [3740/0105](#)

Pages: 7

Date Recorded: Mar. 14, 2008

Supporting Documents: [assignment-tm-3740-0105.pdf](#)

Assignor

Name: THE MEDSTAT GROUP, INC.

Execution Date: Dec. 13, 2007

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

**Assignee**

Name: THOMSON HEALTHCARE INC.  
Legal Entity Type: CORPORATION  
Address: 777 EAST EISENHOWER PARKWAY  
ANN ARBOR, MICHIGAN 48108

State or Country Where Organized: DELAWARE

**Correspondent**

Correspondent Name: THE THOMSON CORPORATION  
Correspondent Address: 1 STATION PLACE  
PAULA UPSON  
STAMFORD, CT 06902

Domestic Representative - Not Found

**Assignment 2 of 4**

Conveyance: CHANGE OF NAME

Reel/Frame: 3844/0234

Pages: 7

Date Recorded: Aug. 28, 2008

Supporting Documents: [assignment-tm-3844-0234.pdf](#)

**Assignor**

Name: THOMSON HEALTHCARE INC.  
Legal Entity Type: CORPORATION

Execution Date: Jun. 26, 2008

State or Country Where Organized: DELAWARE

**Assignee**

Name: THOMSON REUTERS (HEALTHCARE) INC.  
Legal Entity Type: CORPORATION  
Address: 777 EAST EISENHOWER PARKWAY  
ANN ARBOR, MICHIGAN 48108

State or Country Where Organized: DELAWARE

**Correspondent**

Correspondent Name: THOMSON REUTERS  
Correspondent Address: 3 TIMES SQUARE  
ALEX MONTAGU  
NEW YORK, NY 10036

Domestic Representative - Not Found

**Assignment 3 of 4**

Conveyance: SECURITY INTEREST

Reel/Frame: 4816/0689

Pages: 30

Date Recorded: Jul. 09, 2012

Supporting Documents: [assignment-tm-4816-0689.pdf](#)

**Assignor**

Name: THOMSON REUTERS (HEALTHCARE) INC.  
Legal Entity Type: CORPORATION

Execution Date: Jun. 06, 2012

State or Country Where Organized: DELAWARE

**Assignee**

Name: JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT  
Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 1111 FANNIN STREET, FLOOR 10  
HOUSTON, TEXAS 77002

**Correspondent**

Correspondent Name: MINDY M. LOK, ESQ.  
Correspondent Address: SIMPSON THACHER & BARTLETT LLP  
425 LEXINGTON AVENUE  
NEW YORK, NY 10017

Domestic Representative - Not Found

**Assignment 4 of 4**

Conveyance: CHANGE OF NAME

Reel/Frame: 4907/0175

Pages: 6

Date Recorded: Nov. 27, 2012

Supporting Documents: [assignment-tm-4907-0175.pdf](#)

**Assignor**

Name: THOMSON REUTERS (HEALTHCARE) INC.  
Legal Entity Type: CORPORATION

Execution Date: Jun. 06, 2012  
State or Country Where Organized: DELAWARE

Assignee

Name: TRUVEN HEALTH ANALYTICS INC.  
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 777 EAST EISENHOWER PARKWAY  
ANN ARBOR, MICHIGAN 48108

Correspondent

Correspondent Name: MONTAGULAW, P.C.  
Correspondent Address: 1120 AVENUE OF THE AMERICAS  
4TH FLOOR  
NEW YORK, NY 10036

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2014-07-22 17:09:27 EDT

Mark: THERASTAT

THERASTAT

US Serial Number: 75799884      Application Filing Date: Sep. 15, 1999  
US Registration Number: 2445826      Registration Date: Apr. 24, 2001  
Register: Principal  
Mark Type: Trademark, Service Mark  
Status: The registration has been renewed.  
Status Date: May 01, 2011  
Publication Date: Oct. 24, 2000

## Mark Information

Mark Literal Elements: THERASTAT  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parentheses ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: computer software, namely, software used to track the utilization of physical, speech and occupational therapies, produce reports which allow for billing for services, produce clinical forms, and produce utilization analyses that allow for management of therapy delivery

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 1999

Use In Commerce: Aug. 31, 1999

For: consulting services in the field of computer software, data management, and therapy management

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 1999

Use In Commerce: Aug. 31, 1999

## Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: TheraStat Data Corp.  
Owner Address: 3029 Senna Drive  
Matthews, NORTH CAROLINA 28105  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kathryn A. Gromlovits  
Attorney Primary Email [tm@slk-law.com](mailto:tm@slk-law.com)  
Address:

Docket Number: 2410/1  
Attorney Email Yes  
Authorized:

Correspondent

Correspondent Name/Address: Kathryn A. Gromlovits  
Shumaker, Loop & Kendrick, LLP  
128 South Tryon St.  
Suite 1800  
Charlotte, NORTH CAROLINA 28202-5013  
UNITED STATES

Phone: 704-945-2903

Fax: 704-332-1197

Correspondent e-mail: [tm@slk-law.com](mailto:tm@slk-law.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Aug. 31, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 31, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 01, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
May 01, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 19, 2011	TEAS SECTION 8 & 9 RECEIVED	
Feb. 08, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 08, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 18, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Apr. 19, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 19, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 17, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 07, 2006	CASE FILE IN TICRS	
Apr. 24, 2001	REGISTERED-PRINCIPAL REGISTER	
Nov. 21, 2000	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 24, 2000	PUBLISHED FOR OPPOSITION	
Sep. 22, 2000	NOTICE OF PUBLICATION	
Jul. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 29, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	76738
Jan. 06, 2000	NON-FINAL ACTION MAILED	
Jan. 03, 2000	ASSIGNED TO EXAMINER	76738

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 24, 2011

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date In Location: May 01, 2011



Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Bruce Goldner  
Docket Number: 693810/3  
Attorney Primary Email: [bgoldner@skadden.com](mailto:bgoldner@skadden.com)  
Attorney Email Address: Yes  
Authorized:

#### Correspondent

Correspondent Name/Address: Bruce Goldner  
Skadden, Arps, Slate, Meagher & Flom LLP  
Four Times Square  
New York, NEW YORK 10036-6522  
UNITED STATES  
Phone: (212) 735-2972  
Fax: (212) 735-2000  
Correspondent e-mail: [bgoldner@skadden.com](mailto:bgoldner@skadden.com)  
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Aug. 15, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 24, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60132
Jan. 24, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 23, 2009	ASSIGNED TO PARALEGAL	60132
Jan. 16, 2009	TEAS SECTION 8 & 9 RECEIVED	
Jan. 15, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 15, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 14, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 14, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 04, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 04, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 07, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 15, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 01, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 01, 2005	PAPER RECEIVED	
Feb. 16, 1999	REGISTERED-PRINCIPAL REGISTER	
Oct. 22, 1998	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 21, 1998	ASSIGNED TO EXAMINER	72004
Oct. 08, 1998	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 16, 1998	USE AMENDMENT FILED	
Mar. 17, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 23, 1997	PUBLISHED FOR OPPOSITION	
Nov. 21, 1997	NOTICE OF PUBLICATION	
Oct. 23, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 15, 1997	EXAMINER'S AMENDMENT MAILED	
Sep. 23, 1997	ASSIGNED TO EXAMINER	72004

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 16, 2009

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 24, 2009

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 3

Registrant: INTERPOOL LIMITED

#### Assignment 1 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 4839/0134

Pages: 4

Date Recorded: Aug. 09, 2012

Supporting Documents: assignment-tm-4839-0134.pdf

#### Assignor

Name: INTERPOOL LIMITED

Execution Date: Aug. 09, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: BARBADOS

#### Assignee

Name: INTERPOOL, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 211 COLLEGE ROAD EAST  
PRINCETON, NEW JERSEY 08540

#### Correspondent

Correspondent Name: MOORE & VAN ALLEN PLLC

Correspondent Address: 100 NORTH TRYON STREET, SUITE 4700  
CHARLOTTE, NC 28202-4003

Domestic Representative - Not Found

#### Assignment 2 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: 4881/0545

Pages: 9

Date Recorded: Oct. 15, 2012

Supporting Documents: assignment-tm-4881-0545.pdf

#### Assignor

Name: INTERPOOL, INC.

Execution Date: Aug. 09, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 1111 FANNIN STREET, FLOOR 10  
HOUSTON, TEXAS 77002

#### Correspondent

Correspondent Name: GENEVIEVE DORMENT, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP  
425 LEXINGTON AVENUE  
NEW YORK, NY 10017

Domestic Representative - Not Found

#### Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: 4894/0064

Pages: 9

Date Recorded: Nov. 05, 2012

Supporting Documents: assignment-tm-4894-0064.pdf

#### Assignor

Name: TRAC INTERMODAL LLC

Execution Date: Oct. 03, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Name:** TRAC INTERMODAL CORP. **Execution Date:** Oct. 03, 2012  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** WELLS FARGO BANK, NATIONAL ASSOCIATION, AS COLLATERAL AGENT  
**Legal Entity Type:** NATIONAL ASSOCIATION **State or Country Where Organized:** UNITED STATES

**Address:** 625 MARQUETTE AVENUE, 11TH FLOOR  
MINNEAPOLIS, MINNESOTA 55470

**Correspondent**

**Correspondent Name:** ANTONIA CAREW-WATTS  
**Correspondent Address:** ONE LIBERTY PLAZA C/O CLEARY GOTTlieb  
NEW YORK, NY 10006

**Domestic Representative - Not Found**



## Current Owner(s) Information

Owner Name: InfoStat Corporation  
Owner Address: ATTN: H. B. HARVEY  
103 CUNNINGHAM CT.  
Cary, NORTH CAROLINA 27511  
UNITED STATES  
Legal Entity Type: CORPORATION State or Country Where Organized: COLORADO

## Attorney/Correspondence Information

Attorney of Record - None  
Correspondent

Correspondent Name/Address: INFOSTAT CORP  
ATTN: H. B. Harvey  
103 CUNNINGHAM CT  
CARY, NORTH CAROLINA 27511  
UNITED STATES  
Phone: 919-468-4626 Fax: 919-468-4626  
Correspondent e-mail: [isc05@infostat.com](mailto:isc05@infostat.com) Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 13, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Sep. 13, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Sep. 13, 2011	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	66607
Sep. 13, 2011	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	66607
Sep. 10, 2011	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	66607
Sep. 10, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 05, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Sep. 21, 2007	ASSIGNED TO PARALEGAL	66607
Sep. 07, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 07, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 07, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 07, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 13, 2007	CASE FILE IN TICRS	
Sep. 11, 2001	REGISTERED-PRINCIPAL REGISTER	
May 17, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 07, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 27, 2000	USE AMENDMENT FILED	
Mar. 07, 2000	REINSTATED	
Nov. 18, 2000	ABANDONMENT - NO USE STATEMENT FILED	
Feb. 29, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 04, 1999	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 06, 1999	PUBLISHED FOR OPPOSITION	
Jun. 04, 1999	NOTICE OF PUBLICATION	
Mar. 29, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 14, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 17, 1998	NON-FINAL ACTION MAILED	
Apr. 28, 1998	ASSIGNED TO EXAMINER	69192
Apr. 21, 1998	ASSIGNED TO EXAMINER	72615

## Maintenance Filings or Post Registration Information

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Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 11, 2011

Change In Registration: Yes

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## TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date In Location: Sep. 13, 2011



Name/Address: 7027 WINDWORD WAY #246  
CINCINNATI, OHIO 45241  
UNITED STATES

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Mar. 02, 2007	CASE FILE IN TICRS	
Dec. 04, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	61619
Dec. 04, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 28, 2006	ASSIGNED TO PARALEGAL	61619
Sep. 25, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 25, 2006	TEAS SECTION 8 & 9 RECEIVED	
May 23, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Mar. 04, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 04, 2003	TEAS SECTION 8 RECEIVED	
Sep. 23, 1997	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 1997	PUBLISHED FOR OPPOSITION	
May 30, 1997	NOTICE OF PUBLICATION	
May 10, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 09, 1997	ASSIGNED TO EXAMINER	68110

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Renewal Date: Sep. 23, 2007

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 02, 2007



Correspondent ARTHUR B BERGER  
Name/Address: RAY QUINNEY & Nebeker PC  
PO BOX 45385  
36 S STATE ST STE 1400  
SALT LAKE CITY, UTAH 453850385  
UNITED STATES

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jun. 19, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jun. 19, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 30, 2007	ASSIGNED TO PARALEGAL	68335
May 03, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 07, 2007	PAPER RECEIVED	
May 03, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 14, 2006	CASE FILE IN TICRS	
Jul. 24, 2006	REVIEW OF CORRESPONDENCE COMPLETE	68502
Aug. 22, 2005	PAPER RECEIVED	
Jun. 15, 2005	CANCELLATION TERMINATED NO. 999999	43502
Jun. 15, 2005	CANCELLATION DISMISSED NO. 999999	43502
Jul. 15, 2004	CANCELLATION INSTITUTED NO. 999999	43502
Jul. 21, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 05, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 05, 2003	TEAS SECTION 8 & 15 RECEIVED	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Apr. 16, 2003	PAPER RECEIVED	
May 06, 1997	REGISTERED-PRINCIPAL REGISTER	
Feb. 11, 1997	PUBLISHED FOR OPPOSITION	
Jan. 10, 1997	NOTICE OF PUBLICATION	
Nov. 04, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 28, 1996	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 02, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 1996	EXAMINER'S AMENDMENT MAILED	
Apr. 15, 1996	ASSIGNED TO EXAMINER	70738

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 06, 2007

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 19, 2007

### Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Hunlana LLC

**Assignment 1 of 2**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2686/0433

Pages: 2

Date Recorded: Mar. 04, 2003

Supporting Documents: [assignment-lm-2686-0433.pdf](#)

**Assignor**

Name: HUNTANA, LLC

Execution Date: Feb. 25, 2003

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: WEBSTAT.COM LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 241 N. MAIN  
CHRIS STARKEY  
SPRINGVILLE, UTAH 84663

**Correspondent**

Correspondent Name: WEBSTAT.COM LLC

Correspondent Address: 241 N. MAIN  
CHRIS STARKEY  
SPRINGVILLE, VT 84663

Domestic Representative - Not Found

**Assignment 2 of 2**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2728/0686

Pages: 2

Date Recorded: Apr. 16, 2003

Supporting Documents: [assignment-lm-2728-0686.pdf](#)

**Assignor**

Name: HUNTANA, LLC

Execution Date: Feb. 25, 2003

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: WEBSTAT.COM LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 241 N. MAIN  
CHRIS STARKEY  
SPRINGVILLE, UTAH 84663

**Correspondent**

Correspondent Name: WEBSTAT.COM LLC

Correspondent Address: CHRIS STARKEY  
241 N. MAIN  
SPRINGVILLE, UT 84663

Domestic Representative - Not Found

**Proceedings**

**Summary**

Number of Proceedings: 1

**Type of Proceeding: Cancellation**

Proceeding Number: 92043502

Filing Date: Jul 08, 2004

Status: Terminated

Status Date: Jul 15, 2004

Interlocutory Attorney: CINDY B GREENBAUM

**Defendant**

Name: HUNTANA, LLC AND WEBSTAT.COM, L.L.C.

Correspondent Address: ARTHUR B. BERGER  
RAY QUINNEY & NEBEKER  
36 SOUTH STATE STREET, SUITE 1400 P.O. BOX 45385  
SALT LAKE CITY UT, 45385  
UNITED STATES

Associated marks

Registration

Mark	Application Status	Serial Number	Number
WEBSTAT	Renewed	<u>75007657</u>	<u>2058787</u>

Plaintiff(s)

Name: WEB TRACKING SERVICES, L.L.C.

Correspondent Address: LYNN G. FOSTER  
 LYNN G. FOSTER L.C.  
 602 EAST 300 SOUTH  
 SALT LAKE CITY UT , 84102  
 UNITED STATES

Entry Number	History Text	Prosecution History	
		Date	Due Date
1	FILED AND FEE	Jul 08, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 15, 2004	Aug 24, 2004
3	PENDING, INSTITUTED	Jul 15, 2004	
4	CERTIFICATE OF SERVICE	Jul 23, 2004	
5	DEF'S MOT TO SUSPEND PROCEEDINGS	Aug 13, 2004	
6	CONSENTED MOTION FOR EXTENSION OF TIME TO ANSWER PETITION FOR CANCELLATION	Aug 20, 2004	
7	P'S MOTION FOR SUMMARY JUDGMENT	Aug 27, 2004	
8	P'S OPPOSITION/RESPONSE TO MOTION	Aug 27, 2004	
9	PROCEEDINGS SUSPENDE PENDING CIVIL ACTION	Sep 02, 2004	
10	REPLY MEMO IN SUPPORT OF MOT TO SUSPEND PROCEEDINGS	Aug 31, 2004	
11	P'S RESPONSE TO BOARD ORDER/INQUIRY	Sep 13, 2004	
12	WITHDRAWAL OF PETITION FOR CANCELLATION	Mar 03, 2005	
13	BOARD'S DECISION: DISMISSED W/O PREJ	Jun 15, 2005	
14	TERMINATED	Jun 15, 2005	



Attorney Name: Theodore A. Breiner

Docket Number: 2723/TM

Correspondent

Correspondent: THEODORE A BREINER  
Name/Address: BREINER & BREINER  
115 N HENRY ST  
ALEXANDRIA, VIRGINIA 22314  
UNITED STATES

Domestic Representative

Domestic Representative: A. W. Breiner  
Name:

### Prosecution History

Date	Description	Proceeding Number
Dec. 24, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Dec. 24, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68335
Dec. 24, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68335
Dec. 20, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	68335
Dec. 20, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 20, 2013	PAPER RECEIVED	
Sep. 05, 2007	CASE FILE IN TICRS	
Mar. 20, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 20, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 26, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 26, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 25, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 25, 1994	REGISTERED-PRINCIPAL REGISTER	
Nov. 02, 1993	PUBLISHED FOR OPPOSITION	
Oct. 01, 1993	NOTICE OF PUBLICATION	
Mar. 10, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 06, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 31, 1992	NON-FINAL ACTION MAILED	
Jul. 10, 1992	ASSIGNED TO EXAMINER	69974

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 25, 2014

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date In Location: Dec. 24, 2013

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 1

Registrant: Bodystat Limited

#### Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1876/0698

Pages: 2

Date Recorded: Mar. 25, 1999

Supporting Documents: [assignment-tm-1876-0698.pdf](#)

Assignor

Name: BODYSTAT LIMITED  
Legal Entity Type: CORPORATION

Execution Date: Mar. 02, 1999  
State or Country Where Organized: No Place Where Organized Found

**Assignee**

Name: BODYSTAT (ISLE OF MAN) LIMITED  
Legal Entity Type: CORPORATION

State or Country Where Organized: ISLE OF MAN

Address: POST OFFICE-BOX 50  
DOUGLAS, ISLE OF MAN IM99 1DC

**Correspondent**

Correspondent Name: THEODORE A. BREINER, ESQ.  
Correspondent Address: 115 NORTH HENRY STREET  
P.O. BOX 19290  
ALEXANDRIA, VA 23320-0290

Domestic Representative - Not Found



Attorney Primary Email [trademarks@mmm.com](mailto:trademarks@mmm.com)  
Address:

Attorney Email Yes  
Authorized:

Correspondent

Correspondent Name/Address: James F. Voegeli  
3M Company  
2501 Hudson Road  
220-9E-01  
St. Paul, MINNESOTA 55144  
UNITED STATES

Phone: 6517366989

Fax: 6517363783

Correspondent e-mail: [trademarks@mmm.com](mailto:trademarks@mmm.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jul. 15, 2008	CASE FILE IN TICRS	
Feb. 20, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 29, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 29, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 15, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 20, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 20, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 04, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 04, 2002	PAPER RECEIVED	
Apr. 03, 2002	REGISTERED - SEC. 15 ACKNOWLEDGED	
Jan. 15, 2002	REGISTERED - SEC. 15 AFFIDAVIT FILED	
Nov. 16, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Aug. 19, 1998	REGISTERED - SEC. 8 (6-YR) FILED	
Mar. 16, 1993	REGISTERED-PRINCIPAL REGISTER	
Dec. 22, 1992	PUBLISHED FOR OPPOSITION	
Nov. 20, 1992	NOTICE OF PUBLICATION	
Oct. 08, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 05, 1992	EXAMINER'S AMENDMENT MAILED	
Sep. 28, 1992	NON-FINAL ACTION MAILED	
Sep. 24, 1992	ASSIGNED TO EXAMINER	66486

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 16, 2003

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jul. 15, 2008

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 2

Registrant: SoftMed Systems, Inc.

#### Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [3596/0093](#)

Pages: 4

Date Recorded: Aug. 07, 2007

Supporting Documents: [assignment-tm-3596-0093.pdf](#)

Assignor

Name: SOFTMED SYSTEMS, INC.  
Legal Entity Type: CORPORATION

Execution Date: Mar. 27, 2007

State or Country Where Organized: MARYLAND

Assignee

Name: 3M HEALTH INFORMATION SYSTEMS, INC.  
Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

Address: 575 W. MURRAY BLVD.  
MURRAY, UTAH 84123

Correspondent

Correspondent Name: JAMES F. VOEGELI  
Correspondent Address: 3M CENTER, 2501 HUDSON ROAD  
220-9E-01  
ST. PAUL, MN 55144

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3719/0327

Pages: 6

Date Recorded: Feb. 14, 2008

Supporting Documents: [assignment-tm-3719-0327.pdf](#)

Assignor

Name: 3M HEALTH INFORMATION SYSTEMS, INC.  
Legal Entity Type: CORPORATION

Execution Date: Feb. 11, 2008

State or Country Where Organized: MARYLAND

Assignee

Name: 3M COMPANY  
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 3M CENTER, 2501 HUDSON ROAD  
BLDG. 220-9E-01  
ST. PAUL, MINNESOTA 55144

Correspondent

Correspondent Name: JAMES F. VOEGELI  
Correspondent Address: 3M CENTER, 2501 HUDSON ROAD  
BLDG. 220-9E-01  
ST. PAUL, MN 55144

Domestic Representative - Not Found